

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 5/21/90

FROM: Director, FBI

① - _____

TO: SAC, MILWAUKEE (177B-MI-NEW)

UNITED STATES V. JOSEPH P. BALISTRIERI
AND _____
CIVIL RIGHTS
OO: MILWAUKEE

Enclosed are two copies of a Department of Justice letter dated 5/18/90 requesting investigation in captioned case.

This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 177B, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

Submit FD-610 within 5 workdays of receipt of this airtel.

Remarks: The enclosed request pertains to an ongoing civil suit now in discovery which necessitates further investigation in order to proceed with trial preparation. Any questions should be directed to DOJ Attorneys _____ assigned to this case at FTS _____

LEAD COVERED	
6/12/90	(date)
____	(initials)

Read to
6-18-90
6/6/90
177B-MI-24274-1

b6
b7C

Enc. (2)

CLD/wb (4)

Lead
c/a Thom

mm

JUN 1 1990	
SEARCHED	INDEXED
SERIALIZED	FILED

su 45 pgs

[Signature]
FBI/DOJ

JRD:PFH:JDR:BK:eb
DJ 175-85-101

MAY 18 1990

United States v. Joseph P. Balistrieri
and [REDACTED]

William S. Sessions
Director
Federal Bureau of
Investigation

John R. Dunne
Assistant Attorney General
Civil Rights Division

United States v. Joseph P. Balistrieri and [REDACTED]
[REDACTED] No. 90-C-27 (E.D. Wis. filed January 8, 1990), is a civil suit under the Fair Housing Act, 42 U.S.C. §§3601 - 3619, against Joseph Balistrieri and [REDACTED] (we erroneously called her [REDACTED] in the complaint) [REDACTED] for discriminating against black persons in the rental of apartments at the Shorecrest Hotel. The complaint alleges that the defendants engaged in a pattern and practice of discrimination by treating black apartment seekers differently from white apartment seekers. The case arose from a series of tests in April, May, and June of 1989, in which paired white and black testers went to the Shorecrest, posing as apartment seekers. Each pair presented largely similar credentials and desires. In each case the black person was treated less well, i.e., each was quoted higher rental prices and/or later availability dates. [REDACTED] was the rental agent at the Shorecrest during the period in question. Joseph Balistrieri is the owner of the Shorecrest. [REDACTED] is a manager of the Shorecrest, though he has not yet been named as a defendant.

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The case is now in discovery and both sides are beginning to take depositions of witnesses. During the course of the recent deposition of Defendant [REDACTED] new information came to our attention which requires prompt investigation. Therefore, please obtain the following information so that we may proceed with trial preparation. If there are any questions, please contact [REDACTED] the attorneys assigned to the case, at FTS or [REDACTED]

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(1) Interview [REDACTED] who we believe is residing at [REDACTED] Milwaukee, Wisconsin. His phone number is [REDACTED]. Determine why he has been avoiding service of a deposition subpoena and the phone calls of [REDACTED]. Determine the dates of his employment at the Shorecrest, both while Joseph Balistrieri was in prison and after he was released

from prison. Determine the circumstances of his departure, whether and why he was fired, and his current relationship and contact with Joseph [redacted]. Inquire as to his rental practices and any instructions he received (and from whom) about criteria for renting apartments and any instructions he received (and from whom) about who would be acceptable tenants, and in particular, whether Joseph [redacted] gave him these instructions. Determine particularly whether Joseph or [redacted] ever gave him instructions about renting or not renting to blacks. Determine whether he ever rented to black persons at the Shorecrest or whether anyone else did. If he did, please identify the black persons. Determine whether or not he has talked with Joseph Balistreri, [redacted] (attorney), or anyone else about our housing discrimination case against Balistreri and [redacted].

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(2) Locate and interview Mrs. Ann Lynch, who formerly lived and worked at the Shorecrest. We have been told that she is in her middle or late 80's and worked at the Shorecrest for 15 years before Balistreri purchased the Shorecrest in 1971, and continued to work there until 1986 or 1987. She was apparently living until recently with a family member in Chicago who died. Determine her present health and which black persons she rented to at the Shorecrest. Also inquire about instructions she received from Joseph or [redacted] once they took over the hotel.

(3) Locate and interview [redacted] former employees of [redacted]. Ascertain the information they have about rental practices at the Shorecrest.

(4) Identify and interview a black woman in the office of [redacted] who sought an apartment at the Shorecrest in May or June of 1989 and was assisted but apparently rejected by [redacted].

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(5) Obtain police report for an incident in which [redacted] automobile was smashed by a rejected applicant for an apartment on the parking lot of the Shorecrest in April or May 1989.

(6) Interview [redacted]. Ascertain his experience at the Shorecrest when he and his wife were looking for apartments. Determine when he was looking for apartments, who assisted him, which apartments he was shown, the prices for each and whether he was told about and shown the various amenities. Determine the reason he did not rent at the Shorecrest.

THE FOLLOWING ITEMS ARE TOO VOLUMINOUS FOR
THE 1 A's

6-21-90 ① interview notes re [redacted]

② _____
③ _____
④ _____

6/26/90 ⑤ copy of subpoena on [redacted]

⑥ orig. notes on [redacted]

7/30/90 ⑦ Receipt for Shipment of TAPES to LAB

⑧ orig. notes on [redacted]

8/8/90 ⑨ orig. Notes on [redacted]

8/12/90 ⑩ FD 597

12/17/90 ⑪ orig. notes on [redacted]

⑫ orig. Notes on [redacted]

1/14/91 ⑬ Photos of: [redacted]

⑭ Copy of motion affidavit, order

⑮ Copies of DMV/CCH printouts re: witnesses

4/10/91 ⑯ FD 192 for 1B2

10/18/93 ⑰ Receipt for Reg. Mail for 1B003

10/18/93 ⑱ FD-192 for 1B003

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177B-MW-24274 1B1

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 22 1990	
FBI - MILWAUKEE	

[Signature]

Date 7/27/90

Title and Character of Case

UNITED STATES V. JOSEPH P. BALISTRIERI
AND
CIVIL RIGHTS
OO: MILWAUKEE

Date Property Acquired

7/27/90

Source From Which Property Acquired

1442 N FARWELL, MILW.
METRO MILWAUKEE FAIR HOUSING

Location of Property or Bulky Exhibit

H BULKY ROOM

Reason for Retention of Property and Efforts Made to Dispose of Same

EVIDENCE

To Be Returned

See Serial

Agent Submitting Property or Exhibit

Agent Assigned Case

b6
b7C

☒ Yes ☐ No

SA

SA

☐ Yes ☒ No Grand Jury Property - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure.

☐ Yes ☒ No Property to be Forfeited to the Government

Description of Property or Exhibit

Eight micro-cassette tapes as described on attached sheet.

tapes released to (see FD-302 serial # 19)
8/10/90 by CIA f

For Valuable and/or Narcotics Evidence Only

Evidence Bag Seal # _____

Signature of Two
Special Agents
Verifying and Sealing
Bag Contents _____

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

Field File # 177-MW-24274-1B2

OO: Milwaukee

ORIGINAL (FILE COPY)

BLOCK STAMP			
SEARCHED	INDEXED		
SERIALIZED	FILED		
JUL 30 1990			
FBI - MILWAUKEE			

CHAIN OF CUSTODY

[illegible]

Item No.

Remarks

7/27/90

- 1. 4-29-89 - SIDE A - [REDACTED] P14R1238-2
- 2. 4-29-89 - SIDE A - [REDACTED] P14R1238-2
- 3. 5-5-89 - SIDE B - [REDACTED] P14R1238-3
- 4. 5-6-89 - SIDE A - [REDACTED] P14R1238-3
- 5. 5-11-89 - SIDE B - [REDACTED] P14R1238-4
- 6. 5-11-89 - SIDE B - [REDACTED] P14R1238-4
- 7. 6-5-89 - SIDE B - [REDACTED] P14R1238-5
- 8. 6-5-89 - SIDE B - [REDACTED] P14R1238-5

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b7c

Above microcassette tapes received 7-27-90
from [REDACTED], Metro Milwaukee Housing,
1442 N. Farwell.

b6
b7c

Bulky Exhibit - Inventory of Property Acquired as Evidence
FD-192 (Rev. 7-18-85)Date 8/13/90

Title and Character of Case

US V. J. P. BALISTRERI;
ET AL;
CIVIL RIGHTS
OO: MW

Date Property Acquired

8/8/90

Source From Which Property Acquired

FBI LAB

Location of Property or Bulky Exhibit

Bulky Rm.

Reason for Retention of Property and Efforts Made to Dispose of Same

EVIDENCE

To Be Returned

See Serial

Agent Submitting Property or Exhibit

Agent Assigned Case

☐ Yes ☒ No☐ Yes ☒ No Grand Jury Property - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure.☐ Yes ☒ No Property to be Forfeited to the Government

Description of Property or Exhibit

EIGHT(8) CASSETTE TAPES - ENHANCED VERSIONS
LABELED Q1-Q8

RELEASED TO: US DOJ (CR)
R602163115 9/22/93

For Valuable and/or Narcotics Evidence Only

Evidence Bag Seal # _____

Signature of Two
Special Agents
Verifying and Sealing
Bag Contents

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

Field File # 177-MW-24274-1B3OO: MW

ORIGINAL (FILE COPY)

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SERIALIZED <u>hm</u>	FILED <u>hm</u>
AUG 14 1990	
FBI - MILWAUKEE	

AIRTEL

TO: DIRECTOR, FBI
Attn: Criminal Investigative Division
Civil Rights Unit

FROM: SAC, MILWAUKEE (177B-MI-24274) (P)

Date: 6/1/90

1. Title: (use additional page if necessary)

U.S. vs JOSEPH P. BALISTRIERI
AND [REDACTED];
CIVIL RIGHTS;
OO: MILWAUKEE

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BUDED:

RE:

2. Office of Origin File No: 177B-MI - 24274 (include alpha)
3. Auxiliary Office File No: _____ (initial submission only)
4. X initial submission _____ Supplemental submission
5. Matter Type: (check more than one if applicable)

- A. Brutality ☐ Law Enforcement ☐ Non-Law Enforcement
No Brutality ☐ Law Enforcement ☒ Non-Law Enforcement
B. Violence ☐ Racial ☐ Religious ☐ Other
C. ISS Matters ☐ Migrant Victim ☐ Other
D. Known/Suspected Extremist Group ☐ Klan ☐ Other
Use to describe above (check all applicable)
☐ Arson ☐ Injury ☐ Property damage
☐ Death ☐ No Injury ☐ Cross burning

6. Date of incident 1989 7. Date of complaint 1/8/90
8. Synopsis of case:

Investigation in Discrimination in Housing matter as requested by the Department of Justice, pursuant to ongoing civil suit number 90-C-27, Eastern District of Wisconsin (EDW), filed 1/8/90.

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9. Significant case: ☒ Yes ☐ No (if yes, provide reason) Subject JOSEPH P. BALISTRIERI is son of LCN Boss of Milwaukee, FRANK P. BALISTRIERI, and case has received local media attention.

Remarks/Administrative

3 - Bureau
② - Milwaukee (177B-MI-24274)
FWT:bjh
(5)

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

177B-MI-24274-2

177B-MI-24274

BKC/bkc

1

The following investigation was conducted by IA
[redacted]

On June 5, 1990, Detective [redacted]
Milwaukee Police Department, Open Records, 749 W. State St.,
Milwaukee, Wis., provided three police reports pertaining to
the incident on May 21, 1989, wherein [redacted]
white male, born [redacted] intentionally hit the
legally parked vehicle of [redacted]
stated [redacted] was charged with Criminal Damage to Property
and received 18 months probation for this crime.

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The above-mentioned reports are attached hereto.

177B-MI-24274-3

Jms

INCIDENT A:

CRIMINAL DAMAGE TO PROP. 943.01

O/C

DAY

DATE

TIME

T

DAY

DATE

TIME

SUN.

5/21/89

10:00 PM

INCIDENT B:

LOCATION OF INCIDENT (Address)

CITY/
CO OF
MILW

1962 N. PROSPECT

INCIDENT C:

DATE/TIME OF REPORT

DISTRICT

SQD AREA

REP COM#

SUN. 5/21/89 11:30 PM

5

54

22-04

Location of Incident ---CHECK 1 ITEM ONLY----

0 01-AIR/BUS/TRAIN TERM

0 08-DEPART/DISCOUNT STORE

0 17-LIQUOR STORE

0 21-RESTAURANT

0 95-SUSP TEMP LOOGING

0 02-BANK/SAVINGS & LOAN

0 09-DRUG STR/DR OFC/HOSP

0 99-OTHER RESIDENCE

0 22-SCHOOL/COLLEGE/UNIV

0 92-SUSPECT'S VEHICLE

0 03-BAR/NIGHT CLUB

0 10-FIELD/WOODS

0 96-OTHER TEMP LOOGING

0 23-SERVICE/GAS STATION

0 97-VICT RESIDENCE

0 04-CHURCH/SYNAGOGUE/ETC

0 11-GOV'T/PUBLIC BLDG

0 93-OTHER VEHICLE

0 24-SPECIALTY STORE (Fur jewelry etc)

0 94-VICT TEMP LOOGING

0 05-COMMERCIAL/OFC BLDG

0 12-GROCERY/SUPERMARKET

0 90-PARK

0 13-STREET/ALLEY/ROAD

0 91-VICT VEHICLE

0 06-CONSTRUCTION SITE

0 15-JAIL/PRISON

0 18-PARKING LOT/GARAGE

0 19-RENTAL STORAGE BLDG

0 25-UNKNOWN/OTHER

0 07-CONVENIENCE STORE

0 16-LAKE/WATERWAY

0 19-RENTAL STORAGE BLDG

0 98-SUSP RESIDENCE

REPORTED FOR (Name)

Address

Same

RACE

SEX

DATE OF BIRTH

ETHNIC ORIG

HOME TELEPHONE #

W

M

O HISP

O NON-HISP

ADDRESS

1962 N. PROSPECT

RACE CODES

TYPE

O I-INDIVIDUAL

O G-GOVERNMENT

A-ASIAN B-BLK

OF

O B-BUSINESS

O R-RELIGIOUS ORG.

I-INDIAN U-WHI

VICTIM

O F-BANK/SAV & LOAN

O S-SO-

EMPLOYED BY Name

Address

Same

BUSINESS PHONE

VICTIM

Y N

b6 Y N

Self Employed

1962 N. PROSPECT

RESIDENT

OF COUNTY?

O

b7C ORDERED TO VIEW PHOTOS? O

REPORTED BY

Address

Same

RACE

SEX

DATE OF BIRTH

ETHNIC ORIG

HOME TELEPHONE #

W

M

O HISP

O NON-HISP

ADDRESS

1962 N. PROSPECT

CONVEYED

None

CONVEYED BY

None

TYPE

O I-INTERNAL

O O-OTHER

EXTENT

O N-NONE

O C-CRITICAL

TYPE

OF

O S-SEVERE CUT/LAC

MAJOR INJURY

OF

O M-MINOR

FATAL

O R-REFUSED

INJURY

O B-BROKEN BONE

O T-TEETH LOST

O U-UNCONSCIOUS

O S-SERIOUS

O OTHER-expln

O T-TREATED/REL

INCL. ELEMENTS OF CRIME-

943.01

ON ABOVE DAY DATE

AT ABOVE TIME

AND PLACE,

THE

DEFENDANT INTENTIONALLY DROVE HIS AUTO INTO THE VICTIM'S

LEGALLY PARKED AUTO, CAUSING DAMAGE.

NO SUPP

PROPERTY CODES

---LIST CODE FOR EACH ITEM OF PROPERTY IN "CODE #" COLUMN. IF PROPERTY WAS DAMAGED BEGIN CODE W/ "D" (eg. D-00)

01-AIRCRAFT

09-CREDIT CARDS

15-HEAVY EQUIPMENT

02-ALCOHOL

10-DRUGS/NARCOTICS

16-HOUSEHOLD GOODS

21-NEGOTIABLE INSTRMENT

27-RECORD/AUDIO VISUAL

34-STRUCT-STORAGE

04-BICYCLES

11-DRUG/NARC EQUIP

17-JEWELRY/PREC METAL

22-NONNEGOT INSTRMENT

29-STRUCT-SINGLE DWL

35-STRUCT-OTHER

06-CLOTHES/FURS

12-FARM EQUIPMENT

18-LIVESTOCK

23-OFFICE EQUIPMENT

30-STRUCT-OTHER DWL

36-TOOLS

07-COMPUTER WARES

13-FIREARMS

19-MERCHANDISE

77-OTHER

31-STRUCT-OTHER COMM

38-VEN/PART/ACC

08-CONSUMABLES

14-GAMBLING EQUIP

20-MONEY

25-PURSE/BAG/WALLET

32-STRUCT-INDUST MFG

39-WATERCRAFT

26-RADIO/TV/VCR

33-STRUCT-PUBLIC

99-

QUAN

TYPE OF PROPERTY

DESCRIPTION

SERIAL #

CODE #

VALUE

1

AUTO

1974 Mercedes-Benz

450 SL

D-38

\$3,000

VIN: 10704412021045

PROPERTY INSURED BY

None

TOTAL STOLEN \$

TOTAL DAMAGED \$

TOTAL STOLEN/DAMAGED \$

RELATED INCIDENT #'s

EVIDENCE INVENTORY #'s

ATTACHED

PO-15

WARRANT INFO

DATE ENTERED

SYSTEM #

DATE CANCELED

WARRANT ISSUED-NUMBER

TELETYPE INFO

MESSAGE NUMBER

DATE/TIME

DETECTIVE

I.D. TECH

LATENT CASE #

C.I.B. SUPERVISOR

REPORTING OFFICER

ASSISTING OFFICER

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SUSPECT ONE	SUSPECT NO. 1	RACE W		SEX M	DATE OF BIRTH		AGE	ETHNIC ORIG O HISP O NON-HISP		
	ADDRESS	CITY	STATE		HEIGHT	WEIGHT	BUILD	HAIR	EYES	
	MILWAUKEE, WI		5'9"		190	Med	Brn	Blue		
	ALIAS	ID#	SOCIAL SECURITY #							
SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, TATTOOS, FACIAL HAIR (Describe-1.6. Scar L/HAND, mole R/CHEEK, tattoo on CHEST)										
ATTIRE BLACK JACKET, GREEN SLACKS										
SUSPECT TWO	SUSPECT NO. 2	LAST	FIRST	ID	RACE	SEX	DATE OF BIRTH		AGE	ETHNIC ORIG O HISP O NON-HISP
	ADDRESS	CITY		STATE		HEIGHT	WEIGHT	BUILD	HAIR	EYES
	ALIAS	ID#		SOCIAL SECURITY #		b6 b7C				
	SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, TATTOOS, FACIAL HAIR (Describe-1.6. Scar L/HAND, mole R/CHEEK, tattoo on CHEST)									
ATTIRE										
VEHICLE	VEHICLE YEAR	VEHICLE MAKE	VEHICLE MODEL	TYPE	COLOR	LICENSE #	STATE	EXP	TYPE	V.I.N. #
	1976	OLDS	Delta 88	2dr	Yell		WI	90	Aut	
ADDITIONAL SUSPECTS INFO.										TOTAL SUSPECTS /
SUSPECT WEAPONS	SUSPECT WEAPONS: CHECK 1-3 ITEMS									
	1 2 1 2 1 2 1 2 1 2 O O ALTERED STOCK O O CHROME/NICKEL O O HANDGUN O O OTHER O O REVOLVER O O SHOTGUN O O AUTOMATIC O O DOUBLE BARREL O O IMPLIED WEAPON O O OTHER FIREARM O O RIFLE O O SIMULATED WEAPON O O BOLT ACTION O O DRUG/NARCOTIC O O KNIFE/CUTTING INSTR O O PERSONAL WEAPON O O SAWED OFF O O SINGLE BARREL O O BLUE STEEL O O EXPLOSIVES O O LIQUID GAS O O POISON O O SEMI AUTO O O THROWN OBJECT O O BLUNT OBJECT O O FIRE/INCINDIARY O O MOTOR VEHICLE O O PUMP ACTION O O SHORT/SMUB BBL O O UNKNOWN									
	WPN SUSP NO. 1	MAKE OLDS	MODEL ROYALE	CALIBER	SERIAL # L1	BUTT #	INVENTORY #	REPORTED Y N STOLEN O O		
	ADDED WPN INFO SUSP #1									
SUSPECT WEAPONS	WPN SUSP NO. 2	MAKE	MODEL	CALIBER	SERIAL #	BUTT #	INVENTORY #	REPORTED Y N STOLEN O O		
	ADDED WPN INFO SUSP #2									
INFORMANT	VICT RELATIONSHIP TO SUSPECT CHECK 1 ITEM PER SUSPECT									
	1 2 1 2 1 2 1 2 1 2 O O AG-AQUAINTANCES O O IL-IN-LAW O O NE-NEIGHBOR O O A-ANAL PENETRATION BY PENIS O O ASSAULT/HOMICIDE O O BE-BABYSITTER-BABY/CHILD O O OB-OTHER BUSINESS RELATIONSHIP O O B-FONDLED BREASTS/GENITALS O O 1-ARGUMENT O O BR-BABYSITTER O O OV-OTHER DV VICTIM O O C-FORCED VICTIM TO DISROBE O O 2-ASSAULT ON PO O O BG-BOYFRIEND/GIRLFRIEND O O OF-OTHER FAMILY O O D-FORCED VICTIM PERFORM ORAL ACTS O O 3-DRUG RELATED O O CH-CHILD O O OK-OTHERWISE KNOWN O O E-FORCED VICT TO SPECIFIC POSITION O O 4-GANG RELATED O O CF-CHILD OF BOY/GIRLFRIEND O O PA-PARENT O O F-PENILE/VAGINAL PENETRATION O O 5-LOVER'S QUARREL O O CO-COHABITANT O O CP-PROFESSIONAL CARE PROVIDER O O G-PENETRATED W/OTHER THAN PENIS O O 6-MERCY KILLING O O CS-COMMON LAW SPOUSE O O CR-PROFESSIONAL CARE RECEIVER O O H-PERFORMED ORAL PERVERSION O O 7-DURING FELONY ACR O O EE-EMPLOYEE O O RO-ROOMMATE O O I-OTHER O O 8-OTHER CIRCUMSTANCE O O ER-EMPLOYER O O SB-SIBLING(BROTHER/SISTER) O O 9-UNKNOWN CIRCUMSTANCE O O EX-EX SPOUSE O O SE-SPOUSE O O FR-FRIEND O O SC-STEP-CHILD O O GC-GRANDCHILD O O SP-STEP-PARENT O O GP-GRANDPARENT O O SS-STEP-SIBLING O O MR-HOMOSEX RELATIONSHIP O O ST-STRANGER O O RU-UNKNOWN									
	SEXUAL ASSAULTS CHECK 1-3 ITEMS O K-BUY DRUGS/STOLEN PROPERTY O L-CULTIVATE/MANUFACTURE/PUBLISH O M-DISTRIBUTE/SELL O N-EXPLOIT CHILDREN									
	CRIMINAL ACTIVITY CODE CHECK 1-3 ITEMS O P-OPERATE/PROMOTE O Q-POSSESS DRUGS/PROP/ETC O R-TRANSPORT/IMPORT O S-USE/CONSUME DRUGS O T-OTHER									
ADDITIONAL INFORMATION	SUSPECT'S ACTIONS CHECK 1-3 ITEMS									
	O 01-ASSIST VICT W/VEH TROUBLE O 11-GLOVES WORN O 21-VICT ARGUED O 31-VICT FORCED INTO OWN VEH O 02-ATTACKED FROM CONCEALMENT O 12-MET VICT AT BAR/PARTY O 22-VICT BOUND/GAGGED O 32-AFTER/WHILE VICT PARKS VEH O 03-DAMAGE COMMITTED O 13-PHONE DISABLED O 23-VICT BURNED O 33-VICT INJ W/HAND, FEET, TEETH O 04-DEMAND NOTE USED O 14-PRINTS WIPED CLEAN O 24-VICT CHOKED O 34-VICT KIDNAPPED/HOSTAGE TAKEN O 05-DEMANDED VALUABLES O 15-RANSACKED PREMISES O 25-VICT CUT/STABBED O 35-VICT LURED TO VEHICLE O 06-DRUGS DEMANDED O 16-USED FACIL-Phone, Food O 26-VICT DROWNED O 36-VICT SHOT O 07-ENTERED AFTER KNOCK/RING O 17-VEH TROUBLE FAKED O 27-VICT FOLLOWED ON FOOT O 37-VICT VEH STOPPED ON STREET O 08-FIRE SET O 18-VEH USED IN OFFENSE O 28-VICT FOLLOWED/APPROCHD W/VEH O 38-VICT VEHICLE TAKEN O 09-ENTERED AFTER KNOCK/RING O 19-VEH USED TO MOVE PROP O 29-VICT FORCED INTO SUSP VEH O 39-WEAPON FIRED O 40-OTHER									
	TARGET CHECK 1 ITEM O 50-CASH REGISTER O 51-GARAGE O 52-PERSON O 53-PURSE/WALLET									
	SUSPECT USED CHECK 1-3 ITEMS O A-ALCOHOL O D-DRUGS O C-COMPUTER O N-NOT APPLICABLE									
VICTIM INFORMED OF CRIME PREVENTION SERVICES? Y N DOES VICTIM REQUEST ADDITIONAL CRIME PREVENTION SERVICES? Y N										

INCIDENT INFORMATION	INCIDENT	DATE OF INCIDENT	DATE OF REPORT	REP COM#
	Criminal Damage to Property 943.01(2)(d)	5-21-89	5-22-89	22-04
	LOCATION OF INCIDENT (Address)	1962 N. Prospect (107)		
				DIST.
				b6 b7C 3-0000 <input checked="" type="checkbox"/>

Property Codes ---LIST CODE FOR EACH ITEM OF PROPERTY IN "CODE #" COLUMN.

- | | | | | | |
|-------------------|--------------------|-----------------------|--------------------------|------------------------|-------------------|
| 01-AIRCRAFT | 09-CREDIT CARDS | 15-HEAVY EQUIPMENT | 21-NEGOTIABLE INSTRUMENT | 27-RECORD/AUDIO VISUAL | 34-STRUCT-STORAGE |
| 02-ALCOHOL | 10-DRUGS/NARCOTICS | 16-HOUSEHOLD GOODS | 22-NONNEGOT INSTRUMENT | 29-STRUCT-SINGLE DWL | 35-STRUCT-OTHER |
| 04-BICYCLES | 11-DRUG/NARC EQUIP | 17-JEWELRY/PREC METAL | 23-OFFICE EQUIPMENT | 30-STRUCT-OTHER DWL | 36-TOOLS |
| 06-CLOTHES/FURS | 12-FARM EQUIPMENT | 18-LIVESTOCK | 27-OTHER | 31-STRUCT-OTHER COMM | 38-VEH/PART/ACC |
| 07-COMPUTER WARES | 13-FIREARMS | 19-MERCHANDISE | 25-PURSE/BAG/WALLET | 32-STRUCT-INDUST MFG | 39-WATERCRAFT |
| 08-CONSUMABLES | 14-GAMBLING EQUIP | 20-MONEY | 26-RADIO/TV/VCR | 33-STRUCT-PUBLIC | 99- |

PROPERTY RECOVERED

QUAN	TYPE OF PROPERTY	DESCRIPTION	SERIAL#	INVENTORY#	CODE#	VALUE

For Law Enforcement Purposes Only

RELATED INCIDENT #'s	EVIDENCE INVENTORY #'s	ADDED PROPERTY ON ATTACHED PO-14 <input type="checkbox"/>	TOTAL VALUE RECOVERED PROPERTY \$
----------------------	------------------------	---	-----------------------------------

WEAPON

USE FOR WEAPONS IN POSSESSION OF PRISONER AT TIME OF ARREST--CHECK ALL APPLICABLE ITEMS							
12	12	12	12	12	12	12	12
00 ALTERED STOCK	00 CHROME/NICKEL	00 HANDGUN	00 OTHER	00 REVOLVER	00 SHOTGUN	00 SIMULATED WEAPON	00 SINGLE BBL
00 AUTOMATIC	00 DOUBLE BBL	00 IMPLIED WEAPON	00 OTHER FIREARM	00 RIFLE	00 SAVED OFF	00 SEMI AUTO	00 THROWN OBJECT
00 BOLT ACTION	00 DRUG/NARCOTIC	00 KNIFE/CUTTING INSTR	00 PERSONAL WEAPON	00 POISON	00 PUMP ACTION	00 SHORT/SNUB BBL	00 UNKNOWN
00 BLUE STEEL	00 EXPLOSIVES	00 LIQUID GAS	00 POISON	00 SEMI AUTO	00 SHORT/SNUB BBL	00 THROWN OBJECT	00 UNKNOWN
00 BLUNT OBJECT	00 FIRE/INCENDIARY	00 MOTOR VEHICLE	00 PUMP ACTION	00 SHORT/SNUB BBL	00 THROWN OBJECT	00 UNKNOWN	00 UNKNOWN

ARRESTEE NUMBER ONE

ARRESTED #1 LAST NAME		RACE	SEX	AGE	ETHNIC ORIG
		W	M		0 HISP X NON-HISP
CITY		STATE	HEIGHT	WEIGHT	BUILD
Milwaukee		WI	5'9"	190	M
HAIR		EYES			
Blk		Brk			
ALIAS					
SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PERCULIARITIES, ETC					
I.D. DIV #		SOC SEC #	ADDED WEAPON INFO ARRESTED #1		
RESIDENT Y N	GANG RELATED? Y N	LOCATION OF ARREST	DATE/TIME OF ARREST	TYPE 0 ORDERED IN/CITED OF 0 W/HARR/SUSP CARD ARREST X ALL OTHER ARRESTS	
0	0	1962 N. Prospect	5-21-89 10:49M	X	
CHARGES			POSSESSED SUSPECTED Y N		
Criminal Damage to Property 943.01(2)(d)			0		

ARRESTEE NUMBER TWO

ARRESTED #2 LAST NAME		FIRST	MID	RACE	SEX	DATE OF BIRTH	AGE	ETHNIC ORIG
								0 HISP 0 NON-HISP
ADDRESS		CITY	STATE	HEIGHT	WEIGHT	BUILD	HAIR	EYES
ALIAS		SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PERCULIARITIES, ETC						
I.D. DIV #		SOC SEC #	ADDED WEAPON INFO ARRESTED #2					
RESIDENT Y N	GANG RELATED? Y N	LOCATION OF ARREST	DATE/TIME OF ARREST	TYPE 0 ORDERED IN/CITED OF 0 W/HARR/SUSP CARD ARREST 0 ALL OTHER ARRESTS				
0	0							
CHARGES			POSSESSED SUSPECTED Y N					
			0					

VEH.

VEH. USED	YEAR	MAKE	MODEL	TYPE	COLOR	STATE	EXP	TYPE
	976	CROS	Logan	2	Blk/Wht	WI	90	Auto

REPORTING OFFICER	TOTAL ARRESTS
	1

INVESTIGATION NARRATIVE

ON SUNDAY MAY 21, 1989 AT 10:00 AM WE [REDACTED]
 [REDACTED] [REDACTED] WERE SENT TO [REDACTED]
 FOR A SHOTS FILED FROM AN AUTO COMPLAINT.
 UPON OUR ARRIVAL WE SPOKE TO [REDACTED] WHO STATED
 THAT ON 5-21-89 AT 9:30 PM, HE EXITED THE FREEWAY INTO HIS
 AUTO AT JACKSON AND CLYBURN AT WHICH TIME A DARK BLUE
 MERCEDES 450 CONVERTIBLE PULLED UP NEXT TO HIM. [REDACTED]
 STATED THAT THERE WERE TWO W/M'S, DESCRIBED AS BEING IN
 THEIR EARLY 20'S, DARK COLORED HAIR, AND WEARING BLACK JACKETS
 AND BLACK GLOVES. THE PASSENGER THEN PULLED OUT A 18" OR
 SHORTER SHOTGUN AND POINTED IT AT [REDACTED]
 STATED HE THEN ACCELERATED QUICKLY AND HEARD WHAT SOUNDED
 LIKE A SHOTGUN BLAST BEHIND HIM. [REDACTED] STATED HE TRAVELLED
 NORTH ON PROSPECT AND AT ABOUT 1700, HE AGAIN SAW THIS
 MERCEDES AND DECIDED TO RUN IT OFF THE ROAD SO HE BUMPED
 IT ONCE AND THE MERCEDES PULLED INTO THE PARKING LOT AT
 1692 N. PROSPECT.

AT THIS TIME WE HEARD A SQUAD GET SENT TO 1692 N.
 PROSPECT FOR A P.D.O.

WE PROCEEDED TO 1692 N. PROSPECT, AND FOUND THE BLUE MERCEDES
 IN THE PARKING LOT.

WE SPOKE TO THE OWNER OF THE MERCEDES [REDACTED]

(W/M [REDACTED] OC [REDACTED] WHO STATED THAT HIS MERCEDES
 HAD BEEN PARKED IN THE PARKING LOT FOR SEVERAL HOURS AND
 THAT NO ONE HAD BEEN DRIVING IT. [REDACTED] STATED THAT

[REDACTED] INFORMED HIM AT APPROXIMATELY 10:00 PM THAT
 SOMEONE HAD RAMMED HIS AUTO IN THE PARKING LOT. (CONTINUED)

REVIEWING D.A.	P.O./DET. ASSIGNED	COURT CASE NUMBER
FINAL CHARGE	DISPOSITION/DATE	VICTIM NOTIFIED BY
INCIDENT STATUS <input checked="" type="checkbox"/> CLEARED BY ARREST 18 OR OVER <input type="checkbox"/> PARTIAL CLEARANCE BY ARREST <input type="checkbox"/> UNFOUNDED/BASELESS <input type="checkbox"/> NO PROSECUTION DESIRED	<input type="checkbox"/> PROPERTY RECOVERED <input type="checkbox"/> WARRANT REFUSED	<input type="checkbox"/> ARREST UNDER 18 <input type="checkbox"/> A. Detained at MCCC <input type="checkbox"/> B. Order in to MCCC <input type="checkbox"/> C. WAIVED AS AN ADULT DATE:
C.I.B. ADMINISTRATIVE USE ONLY CLEARED EXCEPTUALLY <input type="checkbox"/> A. Death of Offender <input type="checkbox"/> B. Prosecution Declined <input type="checkbox"/> C. Extradition Denied <input type="checkbox"/> D. Refused to Co-operate <input type="checkbox"/> E. Juvenile, no custody <input type="checkbox"/> F. Not Applicable		
JUSTIFIABLE HOMICIDE <input type="checkbox"/> A. SUSP ATTACKED PO AND SAME PO KILLED SUSP <input type="checkbox"/> B. SUSP ATTACKED PO AND OTHER PO KILLED SUSP <input type="checkbox"/> C. SUSP ATTACKED CIVILIAN <input type="checkbox"/> D. SUSP ATTEMPTED FLIGHT FROM CRIME	<input type="checkbox"/> E. SUSP KILLED IN COMMISSION OF CRIME <input type="checkbox"/> F. SUSP RESISTED ARREST <input type="checkbox"/> G. UNABLE TO DETERMINE/NOT ENOUGH INFORMATION <input type="checkbox"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="checkbox"/> I. SUSPECT KILLED BY POLICE OFFICER	

5-2289 issued

INCIDENT
INFORMATION

INCIDENT

CRIMINAL DAMAGE TO PROPERTY

943.012(D)

DATE OF INCIDENT/ACCIDENT
5-21-89

REP CON #
04

LOCATION OF INCIDENT/ACCIDENT (Address)
1962 N. Prospect

DIST
5

JUVENILE LAST NAME

FIRST

AID

DATE OF BIRTH

☐ DETAINED
☐ ORDERED TO MCCC
☐ OTHER

QUAN

TYPE OF PROPERTY

DESCRIPTION

SERIAL #

CODE #

VALUE

WE NEXT SPOKE TO A WITNESS,

(W/F)

OF

PH #

WHO STATED THAT ON 5-21-89

AT ABOUT 10⁰⁰ PM, SHE WAS WALKING ON THE SIDEWALK IN FRONT
OF THE PARKING LOT AT 1962 N. PROSPECT WHEN SHE HEARD A

b6
b7C

LOUD CRASH. SHE LOOKED AND SAW A YELLOW OLDSMOBILE UP
AGAINST ANOTHER AUTO (BLUE MERCEDES) AND THIS OLDSMOBILE THEN
PULLED AWAY AND DROVE PAST HER AS SHE EXITED THE PARKING
LOT. [REDACTED] STATED THE MERCEDES DID NOT HAVE ANY PERSONS
INSIDE IT.

SOD

P.O.

HAD CONVEYED OUR CALLER,

OVER TO THE SCENE, AND [REDACTED]

IDENTIFIED [REDACTED]

AS BEING

THE DRIVER OF THE HIT AND RUN AUTO.

WE NEXT SPOKE TO [REDACTED]

(W/M)

OF [REDACTED]

WHO IS [REDACTED]

AT THE

SHORECREST HOTEL, AND HE INFORMED US THAT ON 5-21-89 AT
APPROXIMATELY 10⁰⁰ PM, HE HEARD A CRASH IN THE HOTEL'S
PARKING LOT AND WENT AND LOOK AND SAW AN OLDSMOBILE, W/ [REDACTED]
[REDACTED] 90% FREEING QUICKLY OUT OF THE PARKING LOT.

b6
b7C

ALSO NOTED THAT A MERCEDES, WHICH BELONGS TO [REDACTED]

APPEARED TO HAVE BEEN STRUCK AND THAT IT HAD
EXTENSIVE DAMAGE. [REDACTED]

b6
b7C

STATED THAT AS FAR AS HE KN

THIS MERCEDES HAD BEEN IN THE PARKING LOT ALL EVENING.

A LISTING OF THIS PLATE, [REDACTED]

90% W/1 LISTS TO [REDACTED]

OF [REDACTED]

ON A 1976 OLDSMOBILE ROYALE.

THIS WAS THE AUTO THAT [REDACTED]

HAD SHOWN US

AT [REDACTED]

AND HE HAD INFORMED US THAT

REPORTING

P.O.

RAYROLL #

LOG CODE

SUPERVISOR SIGNATURE

INCIDENT
INFORMATION

INCIDENT

CRIMINAL DAMAGE TO PROPERTY 9430(2)(D) 5-21-89 10:00 PM

REP COM #

22-07

LOCATION OF INCIDENT/ACCIDENT (Address)

1962 N. PROSPECT

DIST

2

JUVENILE LAST NAME

FIRST

AID

DATE OF BIRTH

☐ DETAINED
☐ ORDERED TO MCCC
☐ OTHER

QUAN

TYPE OF PROPERTY

DESCRIPTION

SERIAL #

CODE #

VALUE

HE HAD BEEN DRIVING IT WHEN HE RAMMED THE MERCEDES.

WE THEN STOLE TO

W/M

OF

WHO STATED THAT ON 5-21-89, AT 10:00 PM

HE WAS IN THE CARLTON BUILDING, WHICH OVERLOOKS THE PARKING LOT OF THE SHORECREST HOTEL, AND HE HEARD SCREAM AND CRASH, AND WHEN HE LOOKED, HE OBSERVED A MID-70'S YELLOW OLDS FERRARI THE PARKING LOT AT A HIGH RATE OF SPEED.

WE THEN VIEWED

AUTO, A 1974 MERCEDES

450, DARK BLUE, WHICH WAS PARKED IN THE LOT AT 1962 N. PROSPECT. AUTO HAD BEEN RAMMED AT A 90° ANGLE BY AN AUTO WHICH COULD HAVE BEEN THE OLDSMOBILE ROYALE OWNED BY [REDACTED]. THIS IS DUE TO THE DAMAGED SUSTAINED ON THE MERCEDES DRIVERS SIDE MATCHES UP TO THAT OF THE BUMPER ON THE OLDSMOBILE. THE MERCEDES ALSO SUSTAINED DAMAGE TO THE PASSENGER SIDE WHEN THE STRIKING AUTO PUSHED THE MERCEDES INTO THE SIDE OF THE HOTEL.

AT THIS TIME WE WERE INFORMED BY SOD

P.O.

THAT ON 5-21-89, AT 9:30 AM

DRIVING

THE 1976 OLDS ROYALE, W# [REDACTED] W/M, WAS INVOLVED IN A HIT + RUN PI ACCIDENT AT 2376 EAST CARFERRY DRIVE AND WOULD BE RECEIVING CITATIONS (#N925579 H+R- AND N925580 RECKLESS DRIVING) FOR SAME.

WAS THEN ARRESTED FOR CRIMINAL DAMAGE TO PROPERTY

AND CONVEYED BY

REPORTING

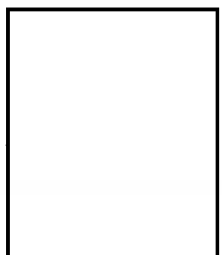
P.O.

SUPERVISOR SIGNATURE

REPORT CONTROL NO. 2/13/88 236933
MILWAUKEE POLICE DEPARTMENT
ARREST REPORT
ADDRESS
MILWAUKEE, WI
OCCUPATION CONSULTANT
ARREST DATE 5/21/89 TIME 10:40 P
ADDRESS OF ARREST 1962 N. PROSPECT
VEH. COLOR Yell. VEH. YR 76 MAKE OLDS MODEL Zdr STATE WI EXP. YR 90
WEAPON TYPE WEAPON MFG. PROBATION PAROLE EVIDENCE INVENTORIED
WITNESSES TO D.A.? YES NO
COMPLAINANT NAME
ADDRESS
CITY MILWAUKEE WI
CHARGE: CRIM. DAM. TO PROP. STATUTE NO./ORD. NO. 943.01(2) WARR. # / CIT. # OFFENSE REPORT #
ARRESTING OFFICER NAME P.O. PAYROLL NO. ASSISTING OFFICERS P.O.
TRANSPORT TO TRANSPORT BY
ARRIVAL DATE 5-22-89
INFORMATION RECEIVED NEG
MED. DATE 5/21/89 MED. TIME 11:55 P
PROPERTY INVENTORY NO. DATE REC. JAIL IN-TIME OUT-TIME CELL NUMBER
ARRESTEE DESCRIPTION HT. 5'9" WT. 190 BLD. Med COMPL. Med EYES Blue HAIR Brn GLASSES Yes TEETH Yes MUST/BEARD No CHIN Yes HANDS CA MARKS-SCARS (08) TATTOO N DEFORM. No
CITY STATE EMP NAME Self-Email ADDRESS
MILITARY Y-N BRANCH E M R NAME: EMR-PHONE
CHARGE CDTP STATUTE/ORD # 943.01 DISPOSITION/ADJ. DATE 6.26.89 9-A DISP. DATE COURT-CASE NUMBER 2.908320
RELEASE FROM CUSTODY BY REASON-CODE DATE TIME RIGHT INDEX FINGER PRINT
BAIL/BOND 5000 CA DATE 5/22/89 TIME SET BY: RT
COMMUNICATION TO: PIK AUTHORITY/PAY NO. C-DATE C-TIME
FUGITIVE RECEIVED BY: DEPT. DATE
PAYROLL NO. D-DATE D-TIME
SUPERVISOR NOTIFIED: 53 NWH 33

For Law Enforcement Purposes Only

MAY 22 1989



DETAILS OF ARREST

ON SUN 5/21/89, SQ [redacted] was dispatched to 1963 N. Prospect Ave to investigate a P.D.O. accident in which several witnesses observed the defendant exit the [redacted] lot after deliberately [redacted] suit #2 right suit #1. The defendant was arrested and conveyed to [redacted]

Enforcement Purposes Only

Provide Pedigree information for subjects Father, Mother, Brothers, Sisters, Spouse, Children and other Relatives. Include Age and Address da b6 b7C

ADVISED OF MIRANDA WARNING

WITNESSED BY:
STATEMENT OF PRISONER:

P.O. [redacted]
NAME
P.O. [redacted]
NAME

Defendant stated that across 2 weeks ago he got into a verbal argument with [redacted] concerning money @ [redacted] Tavern on E. 1st Ave. After the defendant left the Tavern, he found a used [redacted] damage in [redacted] on his auto. The defendant stated that he took that to the [redacted] "threatening" calling card from the "MOB" - referring to [redacted]. The defendant stated that he wanted [redacted] back @ [redacted] because he felt that the "MOB" should be shown a lesson. He then drove to Giovanni's Restaurant and asked [redacted] if he could show the defendant where [redacted] auto was. He stated that [redacted] took him to the Shorecrest Hotel. This evening, 5/21/89, the defendant stated that he went out to get some drinks and then went over to the Shorecrest to run into [redacted] auto, which he did.

INTERVIEWING OFFICER TO FURNISH: Name Rank Payroll Number

Date and Time of Interview.

P.O. [redacted]

5/22/89 1:30 AM

177B-MI-24274-4

SEARCHED	INDEXED
SERIALIZED <i>YM</i>	FILED <i>as</i>

JUN 13 1990

	EE
	<i>On</i>

b6
b7C

Z

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 6/12/90

[redacted] was interviewed at his place of employment, the [redacted] telephone [redacted] where he gave the following information: b6 b7C

[redacted] currently rents [redacted] in Bayside, Wisconsin, telephone [redacted]

[redacted] said that in June of 1988, soon after he arrived in Milwaukee from New York City, New York, where he previously resided, he maintained a temporary residence with a friend, [redacted] and began looking for rental apartments in the Milwaukee area. [redacted] said that the method he used to locate an apartment was to read the newspaper ads and thereafter arrange to visit the locations in which he was interested. He said that at the time he visited the SHORECREST HOTEL, he was with a friend, [redacted] who lives in Milwaukee on [redacted] on the east side, the exact address he cannot recall. JSH

[redacted] remembers speaking over the telephone with a female when he made arrangements to visit the SHORECREST. When he and [redacted] arrived at the SHORECREST, he recalled that this female met them at the door and introduced herself at that time. He said he cannot recall if she gave him any information which would indicate her exact management position with the SHORECREST.

[redacted] described this individual as a white female, approximately [redacted] years of age, brown hair, thin build, tall. When asked if her name could possibly have been [redacted] [redacted] replied that the name was not familiar to him. b6 b7C

[redacted] said that this individual then showed him two or possibly three apartments, all of which faced Lake Michigan. One he recalled was on the second floor, another on the seventh floor, and the third one in a location he cannot recall.

[redacted] remembered that at the minimum, he was looking for a two bedroom apartment, and of the three that were shown to him, all were at least two bedrooms, and one may have been a three bedroom apartment. [redacted] recalled that he did not like the apartment on the second floor because the view of the lake was obscured.

Investigation on 6/6/90 at Milwaukee, Wisconsin File # 177B-MI-24274

by SA [redacted] al [redacted] Date dictated 6/8/90

177B-MI-24274

Continuation of FD-302 of [REDACTED]

, On 6/6/90 , Page 2

There were details about the seventh floor apartment which [REDACTED] did not like, such as the fact that it had a layout he described as "inconvenient." Nevertheless, he filled out an application and gave a \$50 deposit which he was told would be non-refundable should he decide not to take the apartment. At the time that he filled out his application, he informed the individual that the apartment would be for him and possibly his two children, who may join him in Milwaukee.

At this point in the interview, [REDACTED] explained that he was separated from his wife during his apartment search and is still separated with a divorce pending.

b6
b7c

In regard to the information supplied to him by the individual who showed him the apartments at the SHORECREST, he was told the rent would be \$750 per month, but he cannot recall if that price included utilities. [REDACTED] did remember that there would be an additional \$40 or \$50 per month for on-premise parking which he believed was in the parking lot adjacent to the SHORECREST HOTEL on the east side (lake side) of the building. During the time he was shown the various apartments, he recalled being shown a laundry room in the SHORECREST HOTEL but cannot recall being shown any other "amenities" of the SHORECREST. At the time that he left his application with this individual, she did give him a business card, and she told him that she would make an apartment available immediately to him should he desire.

[REDACTED] said that he decided not to take the apartment at the SHORECREST primarily because he did not like the layout. He also said that the carpet, as he recalled, was old and buckling in some spots, and that was another reason he did not want the place.

b6
b7c

[REDACTED] said that during his attempt to find an apartment at the SHORECREST, he did not get the impression that he would be unable to rent at that location because of his race. He described the individual who showed him around as "pleasant" and remembers that she told him that the building was being converted into apartments, and she may have also pointed out certain good aspects of the SHORECREST, but he cannot exactly recall if this was the case. In his final opinion, he said that he did not believe they were trying to discourage him from renting at the SHORECREST.

[REDACTED] said that his friend, [REDACTED] is not available at the time since she is in New York City for the summer, and her telephone in Milwaukee has been disconnected until

177B-MI-24274

Continuation of FD-302 of _____, On 6/6/90, Page 3

approximately September of 1990. He did say that [] calls him periodically and should an interview with her be desired, he would attempt to arrange it.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 6/15/90

[redacted] HELENE ROONEY telephoned Special Agent (SA) [redacted] to advise that she recalled other black individuals who rented apartments at the SHORECREST HOTEL.

She said that in approximately 1978, [redacted] and her daughter, [redacted] moved into [redacted] an efficiency apartment. They lived there until they moved to Unit [redacted] a larger apartment. [redacted] works at the [redacted] on the east side of Milwaukee.

ROONEY also remembered that some black Wisconsin Bell trainees lived in the SHORECREST for approximately three months in 1988 or 1989. A black male, [redacted] lived in [redacted]. Another black male, unidentified, lived in [redacted]. A black female, [redacted] (phonetic spelling) [redacted] lived in [redacted] the exact number she cannot recall. Another black female lived in the SHORECREST as part of the Wisconsin Bell group, but ROONEY cannot recall her name or apartment number.

Investigation on 6/15/90 at Milwaukee, Wisconsin File # 177B-MI-24274-5

by SA [redacted] cal Date dictated 6/15/90

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SEARCHED <u>12</u>	INDEXED <u>12</u>
SERIALIZED <u>12</u>	FILED <u>12</u>
JUN 18 1990	
FBI - MILWAUKEE	
[signature]	

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 6/14/90

ANN ROSE LYNCH, date of birth August 5, 1906, place of birth Chicago, Illinois, was contacted at her residence, 2400 East Bradford Street, Apartment 408, telephone 414-964-9363. She provided the following information:

LYNCH began employment at the SHORECREST HOTEL in 1960, after her husband died the previous year. At that time, she worked for ARTHUR BRUMMER, who owned the SHORECREST HOTEL. When BRUMMER died, [redacted] ran the SHORECREST until he sold it approximately 15 years ago to JOSEPH BALISTRIE. b6 b7C

When LYNCH began work at the SHORECREST, she served as housekeeper and then during the period of time of approximately 1977 until the time that she left, she performed other work, including running the switchboard, renting the apartments, and performing miscellaneous chores. She stated that she was selected on the basis of her extensive knowledge regarding the SHORECREST HOTEL and recalled that as rental manager, she once had the SHORECREST rented at 98% capacity. LYNCH said that there were some transient type of rooms as well as apartments which carried yearly leases. The transient rooms she referred to were those which rented on a weekly or monthly basis. LYNCH said that during the time she was housekeeper at the SHORECREST, she remembers she had "seven colored maids" working for her. She said she remembers renting to "coloreds" during the time that she was the rental manager and that there were also Arabs and American Indians as well as "colored people" who lived at the SHORECREST HOTEL. LYNCH cited an individual named JEFFREY LEE, [redacted] who lived at the SHORECREST HOTEL in Unit 806 until his death approximately three or four months ago. LYNCH pointed out that [redacted] often came to visit LEE at the SHORECREST. b6 b7C

In addition to LEE, LYNCH remembered that a [redacted] lived in Unit [redacted] in the SHORECREST HOTEL. These individuals were also black.

LYNCH also recalled that there was a white male, whose name she cannot remember, who was married to a "colored" woman, and they lived in the SHORECREST HOTEL with two of the woman's

Investigation on 6/14/90 at Milwaukee, Wisconsin File # 177B-MI-24274 - 6

by SA [redacted] cal Date dictated 6/14/90

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JUN 18 1990

FBI - MILWAUKEE

177B-MI-24274

Continuation of FD-302 of ANN ROSE LYNCH, On 6/14/90, Page 2

sons, whom the man later adopted. LYNCH recalled that he lived in Unit 614 during the 1970s and 1980s.

She said that most prospective renters were walk-ins who came there because of referrals from friends and not as a result of any newspaper ads. When they would come to the SHORECREST HOTEL, she would show them around and advise them of the availabilities. LYNCH said that there were no specific amenities that she recalled such as gymnasium or game rooms but that the SHORECREST did have a laundry room.

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When she worked at the SHORECREST after JOE BALISTRIERI purchased the hotel, she reported to either JOSEPH, [] or their mother, "NINA" BALISTRIERI. She recalled that primarily she spoke to Mrs. BALISTRIERI or [] and got along fine with the entire family. She said she never remembered receiving any instructions whatsoever about how she should run the hotel, and as far as she was concerned, there were always "nice people" who lived in the SHORECREST.

Generally, when people would desire to rent an apartment, she would obtain the approval of one of the BALISTRIERIS, usually [] but on occasion she would approve the rental herself. She said this was often the case when the prospective renters were people she knew personally.

LYNCH left the SHORECREST HOTEL approximately in 1982 when she went to Chicago to live with her sister and brother-in-law. After they died approximately three years ago, she returned to Milwaukee to live at the Bradford Street address in approximately 1987.

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LYNCH said that she currently has a heart pacemaker as a result of having suffered a heart attack approximately 13 years ago. She said that during the time she had her heart attack, the BALISTRIERIS kept her on for a full year with full salary in spite of the fact she had a severe illness.

LYNCH said that HELENE ROONEY, the day clerk at the hotel, could possibly provide further information regarding this matter.

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 6/14/90

HELENE H. ROONEY was interviewed at her residence, 2002 North Bartlett Street, Milwaukee, Wisconsin, telephone 414-276-3474, where she gave the following information:

ROONEY's date of birth is August 27, 1912. Her place of birth is Grand Rapids, Michigan.

ROONEY is presently unemployed and lives alone at the above address. Her husband is deceased.

She began work at the SHORECREST HOTEL on July 4, 1977, and worked as the daytime desk clerk. From 1977 until approximately 1985, she worked full-time and then in 1985, after she contracted pneumonia and was ill for a period of time, she thereafter began working part-time at the SHORECREST for three to four days per week, maintaining the position of desk clerk. In that regard, her responsibilities included operation of the telephone switchboard, handling the mail and rental registration records and, in general, doing miscellaneous duties.

ROONEY said she was hired by Mrs. ANTONINA BALISTRIERI after answering a newspaper ad for the position. She reported to Mrs. BALISTRIERI or to Mrs. ANN LYNCH, the housekeeper/manager, while she worked there.

ROONEY said that during the time she worked there, there were many "transients" who often stayed in the hotel, but in approximately 1985, there were more conversions of rental units to a more permanent type of status, including those that were rented on a lease basis. She said that when individuals would call or visit the hotel in person regarding apartment rentals, she would refer these to Mrs. LYNCH. In that regard, she said she was never instructed to restrict any specific individuals regarding apartment rentals.

ROONEY recalled that there were many minorities who lived at the hotel during the time she worked there, including blacks, whom she referred to as "colored people", and Arabs. By way of reference to renters who were black, ROONEY referred to [redacted] husband and daughter who live in the hotel.

Investigation on 6/14/90 at Milwaukee, Wisconsin File # 177B-MI-24274

by SA [redacted] /cal Date dictated 6/14/90

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

SEARCHED	INDEXED
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Continuation of FD-302 of HELENE H. ROONEY, On 6/14/90, Page 2

[redacted] mother, [redacted] also lived in an efficiency unit within the SHORECREST. AS far as ROONEY can remember, [redacted] had lived in the SHORECREST from 1975 or 1976. ROONEY also referred to a white male named [redacted] (phonetic spelling), who lived at the SHORECREST and often had a black male friend who often lived there for periods of time with [redacted]. ROONEY said that [redacted] still resides at the hotel.

[redacted] a former black basketball player, also lived at the SHORECREST HOTEL, according to ROONEY, but moved out when he purchased a residence.

ROONEY said that JEFFREY LEE, [redacted] lived at the SHORECREST HOTEL until his death in December, 1989. ROONEY said she understood that [redacted]

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[redacted] also lived at the SHORECREST before the time that [redacted]. ROONEY said she now lives in Brookfield, Wisconsin.

[redacted] of the SHORECREST HOTEL after Mrs. LYNCH departed. ROONEY said that [redacted] started at the SHORECREST HOTEL a few months before she (ROONEY) began work there and worked initially as [redacted] in the hotel. She stated that he no longer works there, and she is not aware of his current location or current employment status.

ROONEY said that she knows [redacted] as the [redacted] for the SHORECREST HOTEL. She said that [redacted] is the sister of [redacted] who would act as an [redacted] of the SHORECREST HOTEL during the time that JOSEPH and [redacted] were incarcerated. ROONEY believes that [redacted] in fact, was hired on the basis of the fact that she is [redacted] did not live in the hotel and whenever ROONEY would receive telephone calls regarding rental apartments, she would either refer these calls to [redacted] or would call [redacted] herself and advise her of the prospective renters. [redacted] in turn, would meet those individuals who were interested in renting at the SHORECREST HOTEL and would show them the apartments available. As far as she knows, [redacted] showed apartments to anyone who would inquire about them, and [redacted] never said anything to ROONEY regarding any restrictions on those people interested in renting apartments at the SHORECREST. ROONEY said that many of the apartments in the SHORECREST are quite expensive, some of them as high as \$1,000 per month rent. ROONEY said that [redacted] no longer works at the

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177B-MI-24274

Continuation of FD-302 of HELENE H. ROONEY, On 6/14/90, Page 3

SHORECREST HOTEL and believes she may have left that capacity sometime during 1989. As far as ROONEY knew, [REDACTED] would make all final approvals on rentals during the time that the BALISTRIERIS were in jail.

ROONEY said that [REDACTED] is the [REDACTED] of the SHORECREST HOTEL. [REDACTED] is a [REDACTED] of SNUG'S RESTAURANT, located in the SHORECREST HOTEL, but no longer works in that capacity. [REDACTED] is a black female who is the [REDACTED] SNUG'S RESTAURANT. [REDACTED] sons and relatives also work in the kitchen.

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ROONEY said that she left employment at the SHORECREST HOTEL in May of 1990. When asked the reason for her departure, ROONEY replied that she found it difficult to get along with some of the younger employees and their manner of behavior and, therefore, felt it best that she leave. She is currently seeking employment.

ROONEY said that when she read the newspaper account regarding the housing discrimination lawsuit, she felt it was inappropriate since, in her opinion, many minorities lived at the SHORECREST, and she knew of no discrimination practices during the time she was employed there.

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 6/19/90

[redacted] also known as [redacted] was interviewed at his residence, [redacted] Apartment [redacted] Milwaukee, Wisconsin, telephone number [redacted] [redacted] date of birth is [redacted] his place of birth is West Bend, Wisconsin. He is employed as [redacted] at the MARTIN GREENBURG AND ASSOCIATES LAW FIRM in Milwaukee.

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[redacted] began working at the SHORECREST HOTEL, 1962 North Prospect Avenue, in approximately May, 1977. He left their employ in December of 1988. He started at the SHORECREST as a [redacted] working specifically in the hotel, but subsequently also began working at SNUG'S RESTAURANT, which is located within the SHORECREST HOTEL. As part of his duties, he [redacted]

In approximately July, 1980, after Mrs. ANN LYNCH had a heart attack, [redacted] was asked to manage the SHORECREST HOTEL, basically assuming the duties of Mrs. LYNCH. He stated that he had, however, been in a training status up to that point, anticipating work in this capacity. His duties in that position included [redacted]

In October of 1980, he moved into the SHORECREST, moving into [redacted]. During the time when he began duties as [redacted] he reported primarily to Mrs. BALISTRERI and to [redacted] said that at that time, he did not report to JOSEPH BALISTRERI except on the occasions when JOSEPH BALISTRERI would ask specific questions. After JOSEPH and [redacted] were incarcerated, which [redacted] believed to be early 1986, he reported directly to Mrs. BALISTRERI until approximately July or August of 1987, at which time he learned that JOSEPH BALISTRERI gave power of attorney to [redacted] who told [redacted] that he would be working for JOSEPH BALISTRERI through the instructions of [redacted]. In other words, [redacted] was to be the "voice" of JOSEPH BALISTRERI in those matters involving the operation of the SHORECREST HOTEL.

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Investigation on 6/18/90 at Milwaukee, Wisconsin File # 177B-MI-24274-8
by SA [redacted] cal Date dictated 6/18/90

177B-MI-24274

Continuation of FD-302 of _____, On 6/18/90, Page 2

_____ said that he moved into _____ on May 31, 1988. While he was there, he fixed up a room which adjoined that unit and used it from time to time as a place to store items. He said that in December of 1988, during a Christmas party, he used the adjoining room in order to put the coats of those guests attending his party and that this led to a dispute between him and _____ accusing him of using a third bedroom without the authorization or permission of her or JOSEPH BALISTRIERI. In effect, he said she accused him of stealing from JOE BALISTRIERI. Shortly thereafter, _____ told him that JOSEPH BALISTRIERI decided to fire him and that as of December 10, 1988, he would no longer be on the payroll. He said he received a letter to that effect and that _____ was then made _____ As a result, _____ applied for unemployment compensation but became involved in a dispute with _____ regarding that claim, and he subsequently lost that dispute and never collected unemployment.

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_____ said that during the time that _____ operated the SHORECREST on behalf of BALISTRIERI, it was his understanding that BALISTRIERI had "kicked out" his mother, Mrs. ANTONINA BALISTRIERI, from the position of operation of the SHORECREST.

_____ believes it was in the fall of 1988 when _____ began working at the SHORECREST HOTEL. He said she first worked for approximately two weeks as _____ and then quit that position. Shortly thereafter, she began showing apartments to prospective renters.

_____ said that one of the things he did _____ the SHORECREST was to keep a list of vacancies within the hotel with the rent amounts. He said he often had "leeway" of approximately \$25 regarding the rent amounts which he would apply according to circumstances. That is, if there was a need for renters in the SHORECREST, he could lower the rent by that amount or a portion thereof. By the same token, if an apartment was located in an undesirable location within the hotel and was difficult to rent, he would sometimes lower the rent in order to attract renters.

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At the time when he was reporting to Mrs. BALISTRIERI and _____ before both BALISTRIERIS were incarcerated, no credit reports were requested on prospective tenants. There were no applications per se for prospective tenants to fill out. _____ would instead type certain information on a four by six card, such information to include previous address, a bank reference, and an employer's name. He said that only on occasion

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Continuation of FD-302 of [REDACTED], On 6/18/90, Page 3

would he or someone else check these references and, in fact, remembers only one time that he checked the references. [REDACTED] believes it was during the time that [REDACTED] took part in the operation of the SHORECREST that they would begin including a Social Security number on the card in order to check a prospective renter's credit bureau rating. As a matter of procedure, these cards were filled out by a renter only after a deposit was received.

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During the time that he first started showing apartments, he recalled that he would take the completed cards to Mrs. BALISTRERI, who would give approval for rentals. When Mrs. BALISTRERI was not available, he would also give the card to [REDACTED]. For some reason, after awhile, JOSEPH BALISTRERI wanted to know who was applying for apartments and would occasionally look at these cards.

When [REDACTED] was in charge, she would at first look at the cards and give approval on new rentals, but after this procedure was in effect for awhile, she would eventually allow [REDACTED] to approve prospective renters and actually did not even look at the cards except on occasion. She would, however, ask about the individuals who would be applying for apartments.

[REDACTED] said that he never received any instructions regarding restrictions to be used when renting out apartments. As far as he can remember, he was never told to disregard certain prospective renters because of their ethnic background. The only "restriction" that [REDACTED] remembered was that [REDACTED] was always concerned about renting out any of the rooms which were adjacent to the apartments of [REDACTED] and JOSEPH BALISTRERI. He recalled, for instance, that she did not want any reporters from the Milwaukee Journal or Milwaukee Sentinel living in those rooms.

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[REDACTED] said that after he first started as SHORECREST manager, he recalled one case of a black male who was interested in an efficiency apartment but who did not leave a deposit for the apartment. When [REDACTED] subsequently rented the apartment to someone else, the black individual called and apparently complained to [REDACTED] who called [REDACTED] into his office for an explanation. [REDACTED] cannot recall the exact circumstances but does remember telling [REDACTED] about this situation and never hearing any more of it.

During the time that he rented apartments out at the SHORECREST, he recalls that he rented to several black individuals and people of other minority status. He recalled, for instance,

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Continuation of FD-302 of [redacted], On 6/18/90, Page 4

renting to one [redacted] and her daughter. To the best he could recall, [redacted] was a black female, who worked as [redacted] St. John's Nursing Home on the east side and who rented efficiency apartment [redacted] eventually moving to [redacted]

Another black female to whom he rented an apartment was [redacted] whom he believes was [redacted] and who lived in Unit [redacted]

A black female named [redacted] originally rented her apartment in the SHORECREST from Mrs. LYNCH but then moved to California. After she returned from California, she came back to the SHORECREST, and [redacted] rented an apartment to her.

[redacted] also recalled a black male lived in unit [redacted] but he cannot remember the individual's name.

An individual from Kuwait, whose first name was [redacted] (phonetic spelling) and whose last name [redacted] cannot recall, was also a tenant in the SHORECREST as was a Chinese male, who rented an efficiency there but whose name [redacted] cannot recall.

When asked why he was reluctant to receive service of the subpoena from the United States Marshals in May of this year, [redacted] stated that he did not want to get involved and therefore made no extra effort to meet with the Marshals. He stated there was no other reason for this avoidance and that he was not instructed to avoid service in this matter.

[redacted] said that in May of this year, he was contacted by [redacted] who said that she was calling on behalf of [redacted] who requested a luncheon meeting with [redacted] at SNUG'S RESTAURANT in order to discuss this matter and to discuss [redacted] having been served with a subpoena regarding this lawsuit. It was [redacted] understanding that [redacted] was going to pay for the lunch and talk to him regarding this matter, but he refused, stating to [redacted] that this was not something that he [redacted] could "study" for and therefore did not feel it necessary to meet with [redacted] added he is not allowed in the SHORECREST since there is a note that he believes is posted at the desk in the hotel which specifically prohibits [redacted] from entering the building. [redacted] stated he has not had contact with any attorneys in this matter representing the defendants. At this point, [redacted] was formally served with a subpoena regarding a deposition under case number 90-C-27 scheduled for July 16, 1990, at 9:00 a.m. at the office of the United States Attorney, 517 East

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Continuation of FD-302 of , On 6/18/90, Page 5
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Wisconsin Avenue. was advised that should he have any questions regarding this matter, he should contact the interviewing Agent.

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of InvestigationCopy to: 1 - USA, Milwaukee
(Attn: AUSA [redacted])Report of: SA [redacted]
Date: 6/22/90

Office: Milwaukee

Field Office File #: 177B-MW-24274

Bureau File #:

Title: UNITED STATES V. JOSEPH P. BALISTRIERI
AND [redacted]b6
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Character: CIVIL RIGHTS

Synopsis: Milwaukee police reports re 5/21/89 accident involving [redacted]
[redacted] set forth. [redacted] interviewed re
attempt to rent apartment at SHORECREST HOTEL 6/88. ANN LYNCH interviewed
re job as rental manager of SHORECREST. LYNCH denies any discriminatory
rental policies at SHORECREST. HELENE ROONEY, former desk clerk, interviewed.
[redacted] of SHORECREST, interviewed and disclosed he was
not aware of discriminatory practices regarding apartment rental. [redacted]
[redacted] of SNUG'S RESTAURANT in SHORECREST, interviewed.

-P-

Details:

FEDERAL BUREAU OF INVESTIGATION

- 1 -

Date of transcription 6/22/90

[redacted] date of birth [redacted]
[redacted] Milwaukee, Wisconsin, telephone [redacted] was
interviewed at the office of the Federal Bureau of Investigation
(FBI). [redacted] is currently employed as a business manager at the
[redacted] Milwaukee,
telephone [redacted]

[redacted] lived at the SHORECREST HOTEL from approximately
November of 1978 until May 1, 1988. [redacted] has known [redacted] b6
[redacted] since the time they [redacted] an b7C
was in frequent social contact with [redacted] at the
SHORECREST HOTEL and SNUG'S RESTAURANT during the time that he
stayed at the hotel. When [redacted] became disabled as a
result of a bicycle accident, [redacted] replaced him as [redacted]
[redacted] of SNUG'S RESTAURANT. [redacted] was hired for this position
on February 14, 1986, after JOSEPH and [redacted] began
serving their prison term. The actual formality of discussing
wages, hours, and other details of the position was carried out by
Mrs. ANTONINA BALISTRERI, but, in his mind, [redacted] felt that he
had been hired by JOSEPH BALISTRERI.

[redacted] of SNUG'S RESTAURANT, he was privy to
certain conversations regarding the operation of the SHORECREST
HOTEL but never became involved with the actual management of the
hotel. Because the business of the hotel and the restaurant was
conducted out of the same office in the SHORECREST HOTEL, [redacted]
was able to hear a certain amount of information regarding the
SHORECREST HOTEL.

[redacted] of SNUG'S included the
[redacted] whom he considered to
be bartenders, waitresses and hostesses. He said that [redacted] b6
[redacted] a black female, [redacted] among whom b7C
were some of her relatives, and [redacted]
[redacted] had some of the authority in the [redacted]
at SNUG'S. In his capacity [redacted] of SNUG'S, [redacted] was never
given any restrictions regarding hiring of applicants as to their
race or any other characteristic.

Investigation on 6/20/90 at Milwaukee, Wisconsin File # 177B-MI-24274- 16
by SA [redacted] cal Date dictated 6/21/90

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Continuation of FD-302 of [redacted] , On 6/20/90 , Page 2

[redacted] said that during the time that he was there, the authority to rent apartments out to prospective tenants rested with [redacted]. He said that all leases would be typed by [redacted] who had certain duties regarding the processing of this information. [redacted] said that when [redacted] began working at the SHORECREST HOTEL, she became part of the "line of approval" regarding rentals of apartments. [redacted] said that this was approximately July of 1987 and was about the same time that JOSEPH BALISTRIERI "fired" his mother, ANTONINA BALISTRIERI, and put [redacted] in charge of the operation of the hotel.

[redacted] said he has heard of [redacted] but has never worked with her. [redacted] believed that she began work subsequent to the time that he left the hotel. He said that during the time that he worked at SNUG'S, he never witnessed any racial discrimination by [redacted] or any of the BALISTRIERIS as might be manifested through their rental or hiring practices. [redacted] said that he is not saying that this was impossible to happen, but only that it was not brought to his attention during his stay in his capacity [redacted] of SNUG'S.

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[redacted] remembered a black female named [redacted] and an unidentified black male who lived at the SHORECREST during the time that he was there, but he cannot remember specifically any other minorities who lived there during that time.

[redacted] said that when he lived at the SHORECREST, he lived in unit [redacted] which is a one bedroom, and paid approximately \$300 per month plus electric and telephone utility charges. He said that he later moved to a "combo" unit consisting of two apartments, which included three bedrooms, unit [redacted] he paid approximately \$725 per month plus electric utility charges. [redacted] said this was after he [redacted] of SNUG'S and after he married [redacted] who had been working as an employee of SNUG'S RESTAURANT.

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[redacted] said that he was fired by [redacted] who represented, in his mind, JOSEPH BALISTRIERI, on April 1, 1988, and on May 1, 1988, he and his wife moved out of the SHORECREST. [redacted] believes that he was fired because of a "conveyed expression", probably by [redacted] that he was not doing his job at SNUG'S. [redacted] added that there was also a civil lawsuit "brewing" between him and JOSEPH BALISTRIERI regarding unpaid rent due by [redacted] said that this involved a dispute between him and JOSEPH BALISTRIERI as to rent that BALISTRIERI claimed [redacted] owed to the hotel and that this lawsuit is still pending.

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Continuation of FD-302 of , On 6/20/90, Page 3
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said that he has not yet been contacted by the
BALISTRIERIS or their attorneys regarding the housing
discrimination lawsuit.

JRD:PFH:JDR:CGG:sc
DJ 175-85-101

JUL 11 1990

United States v. Joseph P. Balistrieri
and [REDACTED]

William S. Sessions
Director
Federal Bureau of
Investigation

John R. Dunne
Assistant Attorney General
Civil Rights Division

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United States v. Joseph P. Balistrieri and [REDACTED]
[REDACTED] No. 90-C-27 (E.D. Wis. filed January 8, 1990), is a civil suit under the Fair Housing Act, 42 U.S.C. §§3601 - 3619, against Joseph Balistrieri and [REDACTED] for discriminating against black persons in the rental of apartments at the Shorecrest Hotel. The complaint alleges that the defendants engaged in a pattern and practice of discrimination by treating black apartment seekers differently from white apartment seekers. The case arose from a series of tests in April, May, and June of 1989, in which paired white and black testers went to the Shorecrest, posing as apartment seekers. Each pair presented largely similar credentials and desires. In each case the black person was treated less well, i.e., each was quoted higher rental prices and/or later availability dates. [REDACTED] was the rental agent at the Shorecrest during the period in question. Joseph Balistrieri is the owner of the Shorecrest. [REDACTED] of the Shorecrest, though he has not yet been named as a defendant.

The case is now in discovery and both sides are beginning to take depositions of witnesses. During the course of the recent deposition of Defendant [REDACTED] new information came to our attention which requires prompt investigation. Therefore, please obtain the following information so that we may proceed with trial preparation. If there are any questions, please contact [REDACTED], the attorneys assigned to the case, at [REDACTED] or [REDACTED]

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Both of the below listed persons worked in various jobs at the Shorecrest, but we understand neither works there now.

[REDACTED] is believed to be an attorney practicing in Milwaukee.

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[Signature]

[redacted] lives on [redacted] and works at the Protestant home.

Determine the dates of their employment at the Shorecrest. Determine the circumstances of their hirings and departures, whether they were fired, and if so, why, and their current relationship and contact with Joseph and [redacted]. Inquire as to their involvement in the rental of apartments at the Shorecrest, and any instructions they received (and from whom) about criteria for renting apartments and any instructions they received (and from whom) about who would be acceptable tenants, and in particular, whether Joseph or [redacted] gave them these instructions. Determine particularly whether Joseph or [redacted] ever gave them instructions about renting or not renting to blacks. Determine whether they ever rented to black persons at the Shorecrest or whether anyone else did. If they did, please identify the black persons. Determine whether or not they have talked with Joseph Balistrieri. [redacted] [redacted] attorney), or anyone else about our housing discrimination case against Balistrieri and [redacted].

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TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 7/24/90

FROM: Director, FBI

TO: SAC, MILWAUKEE (177B-MW-24274) (OVERNIGHT MAIL)

UNITED STATES V. JOSEPH P. BALISTRIERI
AND [REDACTED]
CIVIL RIGHTS
OO: MILWAUKEE

Reference Milwaukee report of SA [REDACTED]
dated 6/22/90.

Enclosed are two copies of a Department of Justice letter dated 7/11/90 requesting investigation in captioned case.

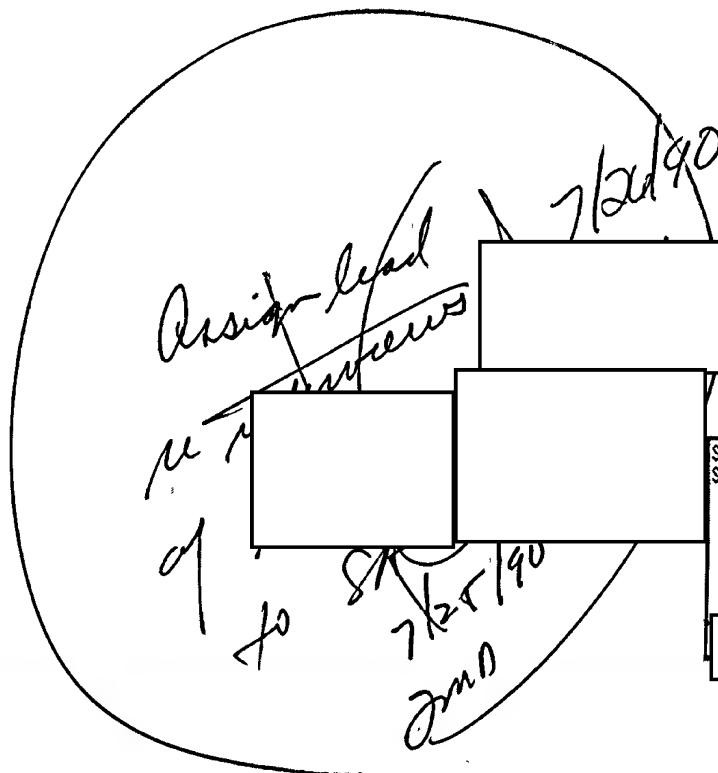
This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 177, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

~~DO NOT WRITE IN THESE SPACES~~

Remarks:

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Enc. (2)



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JUL 25 1990	
FBI - MILWAUKEE	

[REDACTED]

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

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b7c

Date 7/27/90

TO : DIRECTOR, FBI
 (ATTENTION: CIVIL RIGHTS SECTION SUPERVISOR [REDACTED])

FROM : SAC, MILWAUKEE (177B-MW-24274) (P)

SUBJECT : UNITED STATES VERSUS
 JOSEPH P. BALISTRIERI AND

[REDACTED]
 CIVIL RIGHTS;
 OO: MILWAUKEE

Re telephone call on 7/27/90 of Civil Rights
 Supervisor SA [REDACTED] and Milwaukee SA [REDACTED]

REQUEST OF THE BUREAUFBI ENGINEERING RESEARCH FACILITY

Where possible, enhance the enclosed microcassette
 tapes noting that only those sides of the microcassette tapes
 as noted below need be enhanced.

For information of the Engineering Research
 Facility, the enclosed tapes were consensually recorded by
 "testers" of the Metropolitan Milwaukee Fair Housing Agency
 and are the subject of a current civil rights law suit against
 JOSEPH P. BALISTRIERI and [REDACTED] alleging

4 - Bureau

(1 - Package Copy to Engineering and Research Facility,
 Audio/Visual Processing Program, BLDG 27958A, Attention
 [REDACTED] Quantico, Virginia 22135)

② - Milwaukee (177B-MW-24274)

FWT:bjh

(6)

SEARCHED INDEXED
 SERIALIZED FILED

Approved: *JMH*

Transmitted

(Number) (Time)

Per *Jr*

177B-MW-24274-13

discrimination by defendants in the process of the rental of apartments at the SHORECREST HOTEL in Milwaukee, Wisconsin.

Department of Justice Attorney [redacted] has requested that the enclosed tapes be enhanced, where possible, to provide the clearest possible signal that can be obtained. This matter has been discussed with Supervisor [redacted] cited above, who concurs with FBI processing of tapes.

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The Engineering Research Facility is requested to return the above original tapes along with two copies of the enhanced tapes to the Milwaukee Division and forward two copies of the enhanced tapes to the United States Department of Justice, Attorney [redacted] Attention [redacted] Room 7524, Civil Rights Division, Housing and Civil Enforcement Section, 10th and Pennsylvania Avenue N.W., Washington D.C. 20530.

Enclosed for the Engineering and Research Facility are original microcassette tapes contained in small manilla envelopes and each tape labeled as follows:

1. 4/29/89 - Side A - [redacted] P14R1238-2
2. 4/29/89 - Side A - [redacted] - P14R1238-2
3. 5/5/89 - Side B - [redacted] P14R1238-3
4. 5/6/89 - Side A - [redacted] - P14R1238-3
5. 5/11/89 - Side B - [redacted] P14R1238-4
6. 5/11/89 - Side B - [redacted] - P14F1238-4
7. 6/5/89 - Side B - [redacted] - P14F1238-5
8. 6/5/89 - Side B - [redacted] P14F1238-5

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Above microcassette tapes were received 7/27/90 from [redacted] Metro Milwaukee Fair Housing, 1442 North Farwell.

JRD:PFH:JAM:CGG:sc
DJ 175-85-101

JUL 27 1990

United States v. Joseph P. Balistrieri and
[redacted] No. 90-C-27
(E.D. Wis. filed January 8, 1990)

William S. Sessions
Director
Federal Bureau of
Investigation

John R. Dunne
Assistant Attorney General
Civil Rights Division

THIS IS A REQUEST FOR EXPEDITED ACTION.

United States v. Joseph P. Balistrieri and [redacted]
[redacted], No. 90-C-27 (E.D. Wis. filed January 8, 1990), is a
civil suit under the Fair Housing Act, 42 U.S.C. §§3601 - 3619,
against Joseph Balistrieri and [redacted] for
discriminating against black persons in the rental of apartments
at the Shorecrest Hotel Apartments in Milwaukee, Wisconsin. The
complaint alleges that the defendants engaged in a pattern and
practice of discrimination by treating black apartment seekers
differently from white apartment seekers. [redacted]
[redacted] was the rental agent at the Shorecrest during the
period in question. Joseph Balistrieri is the owner of the
Shorecrest.

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The evidence supporting this case is a series of tests
conducted by the Metropolitan Milwaukee Fair Housing Council
(MMFHC) in April, May, and June of 1989, in which paired white
and black testers went to the Shorecrest posing as apartment
seekers. Each pair presented largely similar credentials and
desires. In each case the black person was treated less well,
i.e., each was quoted higher rental prices and/or later
availability dates.

Eight of the testers carried concealed audio tape recorders
used to record their meetings with the rental agent. The
originals of those tapes are in the possession of [redacted]
[redacted] of the MMFHC, 1442 N. Farwell, Milwaukee,
Wisconsin 53202, [redacted]. We have had some difficulty
preparing satisfactory transcripts from the tapes because of
background noise. We are requesting that the Milwaukee office of
the FBI get the originals of the tapes from [redacted] and
forward them to the Audio/Visual Engineering Laboratory enhance
the tapes by removing the background noise. Please call
[redacted] before you go and get the tapes.

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177-MW-24274-14

SEARCHED	INDEXED
SERIALIZED <u>K</u>	FILED <u>K</u>
AUG 1 1990	
FBI - MILWAUKEE	

The discovery period closes August 15, 1990. Accordingly, we are requesting that you expedite this request and send us enhanced tapes and return the originals as soon as possible.

If there are any questions, please contact [redacted]
[redacted] the attorneys assigned to the case
at [redacted]

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TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 7/27/90

FROM: Director, FBI

TO: SAC, MILWAUKEE (177B-MW-24274)

UNITED STATES V. JOSEPH P. BALISTRIERI
 AND [REDACTED]
 CIVIL RIGHTS
 OO: MILWAUKEE

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Reference CRU, FBIHQ, telcal of SSA [REDACTED]
 to SSA [REDACTED] Milwaukee, 7/27/90.

Enclosed are two copies of a Department of Justice letter dated 7/27/90 requesting investigation in captioned case.

This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 177, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

~~XX~~

Remarks:

Enc. (2) *jm*

177B-MW-24274-15

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 1 1990	
FBI - MILWAUKEE	

jm

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/2/90

[redacted]
Metropolitan Milwaukee Fair Housing Council, Suite 500, 1442
North Farwell Avenue, gave the following information:

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[redacted] said that the eight (8) microcassette tapes which he was turning over to Special Agent (SA) [redacted] are tapes of consensually recorded conversations by "testers" on various dates as noted on the tapes. [redacted] added that the conversations which pertain to this matter (U.S. versus JOSEPH P. BALISTRERI) are indicated by the case file number P14R1238, and that this designation should appear on either side A or side B of the microcassette tapes.

The following is a list of the eight tapes turned over to SA [redacted]

1. April 29, 1989 - Side A - [redacted] P14R1238-2.
2. April 29, 1989 - Side A - [redacted] - P14R1238-2.
3. May 5, 1989 - Side B - [redacted] P14R1238-3.
4. May 6, 1989 - Side A - [redacted] P14R1238-3.
5. May 11, 1989 - Side B - [redacted] P14R1238-4.
6. May 11, 1989 - Side B - [redacted] - P14R1238-4.
7. June 5, 1989 - Side B - [redacted] - P14R1238-5.
8. June 5, 1989 - Side B - [redacted] P14R1238-5.

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After accepting custody of the above tapes, SA [redacted] left a receipt with [redacted] and thereafter marked and dated each tape envelope with the initials FWT and the date of July 27, 1990.

Investigation on 7/27/90 at Milwaukee, Wisconsin File # 177B-MW-24274

by SA [redacted] sms Date dictated 7/27/90

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MILWAUKEE	OFFICE OF ORIGIN MILWAUKEE	DATE 8/9/90	INVESTIGATIVE PERIOD 8/1/90-8/9/90
TITLE OF CASE UNITED STATES VS. JOSEPH P. JOSEPH P. BALISTRIERI AND [REDACTED]		REPORT MADE BY SA [REDACTED]	TYPED BY: cal
		CHARACTER OF CASE CR	

REFERENCES

Report of SA [REDACTED] 6/22/90, and Bureau airtel to Milwaukee, 7/24/90.

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-P-

ADMINISTRATIVE

SA [REDACTED] made numerous efforts to contact and interview [REDACTED] is currently an attorney in Milwaukee at [REDACTED] Milwaukee, telephone number [REDACTED]. Following efforts to contact her on August 2, 1990, [REDACTED] telephonically contacted SA [REDACTED] and an appointment was set up to interview [REDACTED] at 10:00 a.m. on August 7, 1990. [REDACTED] appeared cordial when she telephonically contacted the FBI, and the general purpose of the interview was explained to [REDACTED]. However, [REDACTED] did not

PHS/cal

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW			
COPIES MADE: 2 - Bureau 1 - USA, MILWAUKEE (Attn: AUSA [REDACTED]) ① - Milwaukee (177B-MW-24274)		SEARCHED _____ INDEXED <u>10</u> SERIALIZED <u>10</u> FILED <u>15</u>			
DISSEMINATION RECORD OF ATTACHED REPORT		Notations			
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					

A
COVER PAGE

177B-MW-24274-17

JMD

177B-MW-24274

appear for the interview. Messages were left on her answering machine during the day and the evening of August 6, 1990; however, she has failed to recontact the FBI.

[redacted] who is familiar with the SHORECREST HOTEL and has furnished reliable information in the past, furnished some background information on [redacted] prior to her interview and provided information as to how she might be contacted. On August 7, 1990, the same source advised that [redacted] had worked for the BALISTRIERIS in their law office prior to going into her own practice. The source believed that [redacted] was close to the BALISTRIERIS and that they would most probably instruct her not to cooperate with the investigation or respond to an interview. It is noted that this is an opinion of the source. SA [redacted] will make no further efforts to contact [redacted] at this time; however, if she recontacts the FBI and is willing to proceed with an interview, the results of that will be forwarded to the Bureau.

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COVER PAGE
B*

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to: USA, Milwaukee
(Attn: AUSA [redacted])

Report of: SA [redacted] Office: MILWAUKEE
Date: August 9, 1990

Field Office File #: 177B-MW-24274 Bureau File #:

Title: UNITED STATES VS.
JOSEPH P. BALISTRIERI AND
[redacted]

Character: CIVIL RIGHTS

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Synopsis: [redacted] former employee of the SHORECREST HOTEL, was interviewed, and her comments are set out. [redacted] was dismissed by the hotel in 1988 and had worked there as a [redacted]. She was not aware of any policies regarding types of individuals to rent to and did not play a role in the renting of apartments. Efforts were made to contact and interview [redacted] also known as [redacted] is currently an attorney in Milwaukee and was to be interviewed on August 7, 1990. [redacted] failed to appear for the interview and has not responded further to FBI contacts.

-P-

Details:

177B-MW-24274

Following efforts to contact [redacted]
[redacted] Milwaukee, telephone number [redacted] (area code
[redacted], [redacted] telephonically contacted the FBI and agreed to be
interviewed at 10:00 a.m. on August 7, 1990; however, at that
time, [redacted] failed to appear for an interview. Numerous
messages following this were left on [redacted] answering machine;
however, she has failed to respond to these messages.

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/7/90

[redacted] born [redacted] Milwaukee, Wisconsin, was contacted and advised of the official identity of the interviewing Agent. [redacted] furnished the following information:

[redacted] was employed by the SHORECREST HOTEL in Milwaukee, owned by JOSEPH BALISTRIERI from December 1, 1976 to approximately May 16, 1988. During that time, the SHORECREST employed [redacted] as a [redacted]. She was "let go" and dismissed after JOE BALISTRIERI named [redacted] the SHORECREST while he was in prison. Prior to [redacted] Mrs. NINA BALISTRIERI managed the hotel. [redacted] replaced Mrs. BALISTRIERI approximately one year prior to [redacted] dismissal. [redacted] stated that she does not know the precise reasons for her dismissal other than JOE BALISTRIERI and [redacted] were dissatisfied with the hotel's operation.

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[redacted] has read articles in the Milwaukee newspapers regarding the civil rights matter with the SHORECREST HOTEL but has not had contact with either [redacted] JOE BALISTRIERI, Attorney [redacted] or anyone else involved in the discrimination case.

[redacted] at the hotel, [redacted] had no role in renting. When she first began her employment, a Mrs. LYNCH, whose first name she could not recall, was in charge of room rentals until she retired in the early 1980's. After that time and up until and through the time that [redacted] was employed, [redacted] was in charge of hotel rentals. [redacted] was not familiar with [redacted]

[redacted] was not aware of any special instructions regarding types of people to include or exclude as renters. She recalled that there were approximately four black people who were hotel tenants while she was there and knew of no restrictions in that regard. Most renters were individuals who needed rooms while they were in Milwaukee on short term business employments or needing rooms until a time that they could locate permanent housing. She believed that occupants of the SHORECREST HOTEL

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Investigation on 8/7/90 at Milwaukee, Wisconsin File # 177B-MW-24274 - 18

by SA [redacted] /cal Date dictated 8/7/90

177B-MW-24274

Continuation of FD-302 of [REDACTED], On 8/7/90, Page 2

during her tenure included a great variety of people, including gays, blacks, and professional people. She could not recall specifically the names of black renters to whom she referred.

JOE BALISTRIERI was the owner of the hotel while [REDACTED] [REDACTED] JOE BALISTRIERI oversaw the operation of the hotel but was not involved in showing rooms himself to prospective renters. Normally if someone would approach BALISTRIERI regarding a room, he would direct them to Mrs. LYNCH or [REDACTED]. She again stated that she was not aware of any policy regarding to whom to rent or not rent rooms.

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While JOE and [REDACTED] were in prison, she did not have contact with them. Phone calls that they made to the hotel were normally directed to Mrs. BALISTRIERI or [REDACTED].

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/10/90

[redacted] Metropolitan Milwaukee Fair Housing Council, received the following original microcassette tapes which were contained in a sealed evidence bag, having Federal Bureau of Investigation (FBI) Laboratory Exhibit number Q1-8, Lab number 00731002:

1. 4-29-89 - Side A - [redacted] - P14R1238-2
2. 4/29/89 - Side A - [redacted] - P14R1238-2
3. 5-5-89 - Side B - [redacted] P14R1238-3
4. 5-6-89 - Side A - [redacted] - P14R1238-3
5. 5-11-89 - Side B - [redacted] P14R1238-4
6. 5-11-89 - Side B - [redacted] - P14R1238-4
7. 6-5-89 - Side B - [redacted] - P14R1238-5
8. 6-5-89 - Side B - [redacted] P14R1238-5

[redacted] signed a receipt for the above items.

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 13 1990	
FBI - MILWAUKEE	

Investigation on 8/10/90 at Milwaukee, Wisconsin File # 177B-MW-24274 - 19
by SA [redacted] cal Date dictated 8/10/90

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FBI
TECHNICAL SERVICES DIVISION
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Milwaukee (177B-MW-24274)

August 20, 1990

From: Director, FBI

FBI FILE NO. 44-120268

LAB. NO. 00731002 E ZB

Re: UNITED STATES VERSUS
JOSEPH P. BALISTRIERI AND
[REDACTED]
CIVIL RIGHTS;
OO: MILWAUKEE

Examination requested by: SAC, Milwaukee

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Reference: Airtel dated July 27, 1990

Examination requested: Enhancement

Remarks: The enhancement examination was conducted by Signal
Processing Analyst [REDACTED]

Enclosures 2 (2 Technical Services Division Reports)

ADMINISTRATIVE PAGE

177B-MW-24274-20

Do Not Include Administrative Page Information In Investigative Report

**REPORT
of the
FBI
TECHNICAL SERVICES DIVISION
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, Milwaukee (177B-MW-24274)

August 20, 1990

FBI FILE NO. 44-120268

LAB. NO. 00731002 E ZB

Re: UNITED STATES VERSUS
JOSEPH P. BALISTRIERI AND

CIVIL RIGHTS

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Specimens received July 30, 1990

- Q1 One Lanier MC-60 microcassette marked in part "4/23/89"
- Q2 One Lanier MC-60 microcassette marked in part "1962N"
- Q3 One Lanier MC-60 microcassette marked in part "5/5/89"
- Q4 One Lanier MC-60 microcassette marked in part "5/6/89"
- Q5 One Lanier MC-60 microcassette marked in part "5/7/87"
- Q6 One Lanier MC-60 microcassette marked in part "2-4-88"
- Q7 One Lanier MC-60 microcassette marked in part "2-13-88"
- Q8 One Lanier MC-60 microcassette marked in part "6/5/89"

Result of examination:

Four enhanced monaural copies were made of the designated areas of specimens Q1 through Q8 with each copy on a magnetic tape cassette.

In order to obtain maximum intelligibility, the enhanced copies should be played back on a high-quality cassette recorder and should be reviewed using high-quality headphones and Dolby B noise reduction as indicated on each cassette.

Specimens Q1 through Q8 and two enhanced copies of Q1 through Q8 were forwarded to the Milwaukee Office via Freight Services Group Inc. on August 7, 1990.

Two enhanced copies of Q1 through Q8 were forwarded to Attorney [REDACTED] U.S. Department of Justice, Washington, D.C. via registered mail on August 8, 1990.

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/22/90

Two each copies of enhanced microcassette tapes made from tapes previously submitted to the Federal Bureau of Investigation laboratory were received on August 8, 1990.

The tapes were labeled Q1 through Q8 and were shipped via AIRBORNE EXPRESS on August 7, 1990, billing reference number IAD003870.

One copy each of the above enhanced tapes was turned over to the Department of Justice Attorney [redacted] for discovery purposes.

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Investigation on 8/13/90 at Milwaukee, Wisconsin File # 177B-MW-24274 - 21
by SA [redacted] bjh Date dictated 8/17/90

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177B-MW-24274

PAS/vll

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On August 2, 1990, [redacted] furnished the following information to Special Agent (SA) [redacted]

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The source was contacted in an effort to develop background information on two witnesses to be interviewed by the Federal Bureau of Investigation (FBI) in the Civil Rights matter of JOSEPH BALISTRIERI, owner of the SHORECREST HOTEL. The source advised that [redacted] was an individual who worked in the office that was romantically involved with FRANK BALISTRIERI, the mob boss in Milwaukee. This occurred over a long period of time and eventually BALISTRIERI'S wife found out about out and had [redacted] fired.

Additionally, source was familiar with [redacted] who was [redacted] at the SHORECREST HOTEL. The source believed she lived on the near north side on a street that runs between [redacted] in the vicinity of [redacted]. The source believed [redacted] was in law school at one time and eventually left her employment. However, the source did not know whether or not she was fired.

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The source also identified two other individuals who might be interviewed by the FBI, namely [redacted]. Both of them were fired, and she also worked as [redacted]. Her [redacted] worked in [redacted]. Their current address is [redacted] [redacted] telephone number [redacted]. She believes that [redacted] currently runs [redacted].

177B-MW-24274-22

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 28 1990	
FBI - MILWAUKEE	

[Signature]

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 10/26/90

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TO : DIRECTOR, FBI
 (ATTENTION: CIVIL RIGHTS SECTION SUPERVISOR [REDACTED])

FROM : SAC, MILWAUKEE (177B-MW-24274) (RUC)

SUBJECT : US VS. JOSEPH P. BALISTRIERI
 AND [REDACTED]
 CIVIL RIGHTS;
 OO: MILWAUKEE

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Re Milwaukee airtel to the Bureau, dated 7/27/90;
 Milwaukee report of SA [REDACTED] dated 8/9/90 and
 Bureau telcall to Milwaukee on 10/22/90.

Enclosed for the Bureau are copies of FBI Lab
 report, dated 8/20/90 and FD-302 of SA [REDACTED]
 dated 8/13/90.

As previously discussed with SSA [REDACTED] Department
 of Justice Attorney [REDACTED], while in Milwaukee for
 pre-trial motions and deposition, conferred on several
 occasions with SA [REDACTED] regarding this matter. No additional
 interviews were conducted by the Milwaukee Division, but this
 case has been kept open pending requests by Attorney [REDACTED]
 for additional investigative assistance.

Since no further requests have been made, this
 matter is being placed in RUC status.

2 - Bureau (Enc. 2)
 1 - Milwaukee (177B-MW-24274)
 FWT:bjh
 (4)

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

SEARCHED INDEXED
 SERIALIZED FILED

177B-MW-24274-23

Memorandum



To : SAC, MILWAUKEE (177B-MW-24274) (RUC) Date 10/26/90

From : SA [redacted]

Subject: JOSEPH P. BALISTRIERI;
ET AL;
CIVIL RIGHTS;
OO: MILWAUKEE

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On 10/24/90, Department of Justice [redacted] telephoned SA [redacted] and requested that one copy of the cassette tapes in this matter (Q1-Q8, 1B3) containing enhanced conversations be turned over to AUSA [redacted] so that he could enter the tapes into court records.

On 10/25/90, SA [redacted] accompanied by AUSA [redacted] turned over the enhanced cassette tapes to Clerk of Courts, Eastern District of Wisconsin for exhibits to civil case number 90-C-27. A copy of the motion to turn over these tapes is attached to this memo.

One copy each of the tapes was made and is being retained in bulky files.

1*

1 - Milwaukee (177B-MW-24274)

FWT:bjh

(1)

177B-MW-24274-24

SEARCHED	INDEXED
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OCT 27 1990	
FBI - MILWAUKEE	

jm

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH P. BALISTRIERI and

Defendants.

CIVIL ACTION NO. 90-C-27

NOTICE OF FILING

Plaintiff United States has filed its Opposition to Defendants' Motion for Summary Judgment referring to certain audio tape recordings of the visits of testers to the Shorecrest Hotel Apartments. Attached hereto are enhanced copies of the audio tapes of the testers' visits on the dates indicated:

April 29, 1989

May 5, 1989

April 29, 1989

June 5, 1989

May 6, 1989

May 11, 1989

June 5, 1989

May 11, 1989

Plaintiff gave copies of these tapes to defendants on August 14, 1990.

Respectfully submitted,

John R. Dunne

Assistant Attorney General

Attorneys

U.S. Department of Justice

Civil Rights Division

Housing and Civil Enforcement

Section

P.O. Box 65998

Washington, D.C. 20035-5998

202-514-4746

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of October, 1990,
copies of the foregoing Notice of Filing were mailed to Joseph P.
Balistrieri, pro se, 1962 N. Prospect Street, Milwaukee,
Wisconsin 53202, and [REDACTED] Attorney for
Defendant [REDACTED] 1962 N. Prospect Street, Milwaukee,
Wisconsin 53202.

[REDACTED]

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Attorney
United States Department of Justice

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 12/19/90

FROM: Director, FBI

TO: SAC, Milwaukee (177B-MW-24274)

UNITED STATES VS. JOSEPH P. BALISTRIERI
 AND [REDACTED]
 CIVIL RIGHTS
 OO: MILWAUKEE

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Reference Bureau telcal of Civil Rights Case Analyst [REDACTED]
 to SA [REDACTED] 12/18/90.

Enclosed are two copies of a Department of Justice letter dated 12/13/90 requesting investigation in captioned case.

This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 177, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

XX
 Submit FD-616 within 5 workdays of receipt of this airtel.

Remarks:

In referenced telcal, Milwaukee advised the Civil Rights Unit, FBIHQ, that the investigation requested by the Department of Justice in the attached DOJ letter has already been conducted by Milwaukee, which investigation will be submitted to FBIHQ in a form suitable for dissemination to DOJ.

*Discontinue any further
 interviews per Court Order.*

177B-MW-24274-25

Enc. (2)

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 29 1990	
FBI-MILWAUKEE	

Memorandum



Subject

United States v. Joseph P. Balistrieri
and [redacted]

Date

December 13, 1990

To

William S. Sessions
Director
Federal Bureau of
Investigation

From

John R. Dunne
Assistant Attorney General
Civil Rights Division

United States v. Joseph P. Balistrieri and [redacted]
[redacted] No. 90-C-27 (E.D. Wis. filed January 8, 1990), is a civil suit under the Fair Housing Act, 42 U.S.C. §§3601 - 3619, against Joseph Balistrieri and [redacted] for discriminating against black persons in the rental of apartments at the Shorecrest Hotel. The complaint alleges that the defendants engaged in a pattern and practice of discrimination by treating black apartment seekers differently from white apartment seekers. The case arose from a series of tests in April, May, and June of 1989, in which paired white and black testers went to the Shorecrest, posing as apartment seekers. Each pair presented largely similar credentials and desires. In each case the black person was treated less well, i.e., each was quoted higher rental prices and/or later availability dates. [redacted] was the rental agent at the Shorecrest during the period in question. Joseph Balistrieri is the owner of the Shorecrest. [redacted] of the Shorecrest, though he is not a defendant.

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The case is just about ready for trial after extensive discovery. In order to determine when and to what extent certain apartments were available, we need to interview certain persons who currently reside at the Shorecrest Hotel Apartments. Because of the obvious relationship between the defendants and the persons sought to be interviewed, it is important that the FBI conduct the actual interview. Therefore, please obtain the following information so that we may proceed with trial preparation. The persons are listed in order of priority and importance. If there are any questions, please contact [redacted] the attorneys assigned to the case, at [redacted]

(1) Locate and interview [redacted] of apartments [redacted] and [redacted] at the Shorecrest. (He runs a business called [redacted] with the phone number [redacted]) Determine the date and

person who showed him the apartments, how he found out about the rental, whether a price was negotiated and whose idea it was to join apartments. Determine the condition of the apartment on the date first viewed and whether anyone was living in either apartment at the time; inquire as to the precise number of bedrooms and bathrooms in each apartment. Determine if he knows if any black persons currently reside at the Shorecrest, what kind of business he is running and whether any of his customers have been stopped upon entry to the building. Also, inquire as to the substance of any discussions he has had about this lawsuit with any of the following: Joseph or [redacted]

Lastly, determine whether he has any cancelled checks or other records to indicate the dates on which he viewed the apartment; if so, please obtain copies.

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(2) Locate and interview the resident of apartment [redacted] at the Shorecrest, [redacted]. Determine the first date they viewed the apartment, who showed them the apartment, whether anyone was living there at the time, and any cancelled checks or other documents to corroborate these dates; if so, please obtain copies. Also, inquire as to the substance of any conversation about this case which they may have had with Joseph or [redacted]

[redacted] We understand that [redacted] is the Manager of [redacted] and that these people used [redacted] as a reference. Inquire if there are any black persons living at the Shorecrest at the current time.

(3) Locate and interview [redacted] who lived in apartment [redacted] until some time in 1989. Determine the date on which she gave notice to the Shorecrest that she would vacate (and to whom she gave such notice) and the precise date on which she vacated the apartment; obtain any corroborating documents she may have. Determine the condition of the apartment when she left and if she has returned to it since that date. Inquire as to the substance of any conversation about this case which she may have had with Joseph or [redacted]

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b7C

[redacted] was formerly employed at [redacted]

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/21/90

[redacted] was contacted by telephone at [redacted] date of birth [redacted] place of birth Minneapolis, Minnesota, resides at Apartment [redacted] of the SHORECREST HOTEL, 1961 North Summit Avenue, where he was at the time of this interview. [redacted] gave the following information:

[redacted] is a sales representative for [redacted] and in that capacity sells jewelry type "recognition" items for various schools in the Milwaukee area and vicinity. [redacted] was working in that capacity when he first began looking for an apartment in the Milwaukee area. At the time that he began looking for an apartment [redacted] was living in the vicinity of Waukesha, Wisconsin and wanted to relocate closer to the City of Milwaukee.

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[redacted] recalled that he first moved into the SHORECREST HOTEL in July, 1989, although he cannot remember whether he moved in on the first day of July or not. He believes that it was sometime during the beginning of July, 1989, when he actually moved into the hotel and signed a one year lease for that location. [redacted] said that he had answered an ad in the newspaper which advertised an apartment located on the east side of the building and with a lake view. [redacted] said he was looking for something which would be suitable for both a residential apartment and an office.

[redacted] remembered that he was shown the two apartments at [redacted] at the SHORECREST HOTEL by a lady who is no longer at the hotel. [redacted] described her as in her late 30s or early 40s who could have been the manager of the SHORECREST and was the one who showed people around and answered telephones. [redacted] recognized the name [redacted] as being identical to the name of the individual who showed him the apartments.

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[redacted] said that he was told that apartments [redacted] were the ones that were being advertised in the newspaper as one apartment. He said that as far as he could recall he could have rented the apartments either way, either as a single

Investigation on 12/11/90 at Milwaukee, Wisconsin File # 177B-MW-24274 - 26

by SA [redacted] bjh Date dictated 12/17/90

177B-MW-24274

Continuation of FD-302 of [redacted]

, On 12/11/90 , Page 2

apartment or as a combination of the two apartments. [redacted] said that he specifically asked if he would be able to rent one of the apartments for business purposes and one of them for residential purposes and whether appropriate separate billing could be arranged. He said that as far as he recalled it was up to him whether he got the apartment and no approval had to be obtained from any other individual except for that which was based upon his credit rating. He does recall filling out a lot of credit information prior to renting the apartment. [redacted] said that from the time he first saw the apartment until the time he actually moved in a month or more may have passed, but he does not recall exactly. He said that at the time he was renting the apartment he was extremely busy and does not recall the exact circumstances.

Although he does not remember exactly what the asking rent was for the apartment, he does recall that he signed two separate leases, the total expenditure being between \$900 and \$1,000.

[redacted] does not remember whether or not [redacted] at the time that she showed him the apartment gave him the option to use it as a combination unit or whether it was his suggestion. He does remember that apartment [redacted] was a one room studio type apartment with a separate entrance but with a connecting door to apartment [redacted]. Apartment [redacted] had one bath but no kitchen. Apartment [redacted] contained two bedrooms, a bath and a kitchen.

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[redacted] wrote two checks every month, one which was based on his personal account was written for apartment [redacted] and payable to the SHORECREST HOTEL, the other based on his business account, was payable to the SHORECREST HOTEL and was for apartment [redacted]. He said that no one was living in either apartment [redacted] at the time he first saw it to the best of his memory.

[redacted] does not recall negotiating the price with [redacted] and believes that the rental prices were already set with no flexibility.

As a matter of course in his business he has no customers who actually come to the SHORECREST HOTEL. He said that this is based primarily upon insurance liability reasons and that he uses this apartment as a place where his secretary can

177B-MW-24274

Continuation of FD-302 of [redacted], On 12/11/90, Page 3

work and he can return at the end of the day from his sales calls and discuss his business with her and/or attend to those messages he receives on his telephone answering device. [redacted] said that during the course of his business which he conducts on a daily basis, he is usually gone all during the day visiting various high schools in the area and presenting his line of merchandise at those locations. At the end of the day he returns to his office to tend to business there.

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[redacted] said that he moved out of apartment [redacted] at the end of June, 1990 or perhaps the early part of July, 1990 because he found a nicer apartment, apartment [redacted] for less money.

[redacted] does not know for sure but believes that there are several black individuals who live in the SHORECREST HOTEL. He says he sees them in that area on a consistent basis. He does know of one black male who lived in the SHORECREST HOTEL, but who has since died [redacted]

[redacted] was unable to furnish any other specific information about any other minorities who may live in the SHORECREST HOTEL. He did mention that he has one friend who is an Hispanic, but [redacted] refused to provide his name to the interviewing agent.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/20/90

[redacted] date of birth [redacted] place of birth Milwaukee, Wisconsin, was interviewed at his place of employment, [redacted] where he is employed as Manager. [redacted] gave the following information:

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[redacted] moved into the SHORECREST HOTEL in August, 1989. He recalled that during the summer of 1989 he was looking for an apartment for himself and his wife. [redacted] on the East Side of Milwaukee since he worked at [redacted] and wanted to be close to his place of employment. [redacted] said that he looked at several apartments on Prospect Avenue and may have even gone to the SHORECREST HOTEL more than once, checking to see what apartments might be available. He said that he specifically was looking for a two bedroom apartment and recalls that approximately one week before the first of August he went to the SHORECREST and was told by [redacted] a white female named [redacted] whose last name he cannot recall, that Apartment [redacted] was available. [redacted] said that he was with his wife, [redacted] at the time and as far as he can recall he was shown Apartment [redacted] at once. [redacted] told him and his wife that Apartment [redacted] had just received extensive remodeling, including carpeting, plastering and painting. [redacted] said that everything looked "clean" to him and that there was no indication to him at that time that Apartment [redacted] was occupied by anyone, that is, there was no furniture in the apartment that would indicate occupation.

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Although [redacted] is not exactly sure, he believes that it may have been on August 3, that he and his wife, actually moved into Apartment [redacted]. He said he may have a canceled check which would reflect the exact date he assumed occupancy of the apartment.

As far as he can recall, when [redacted] first moved into Apartment [redacted] no bathroom repair was either in progress or required. He does recall that approximately two months after he moved in there was a small leak under the kitchen sink which required repair. At the time that he moved into Apartment [redacted]

Investigation on 12/10/90 at Milwaukee, Wisconsin File # 177B-MW-24274 - 27
by SA [redacted] bjh Date dictated 12/14/90

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Continuation of FD-302 of [redacted], On 12/10/90, Page 2

he believes the rent was between \$835 and \$850 per month, which included heat, but excluded electricity. This was for a two bedroom, one bath apartment.

[redacted] said that at the end of one year's lease of Apartment [redacted] he moved to Apartment [redacted] in the SHORECREST HOTEL which is a one bedroom apartment. He stated that this was because his wife's income had changed drastically and it was necessary that they find a less expensive apartment. Apartment [redacted] is rented to him for approximately \$535 per month.

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[redacted] described [redacted] as a white female, approximately 40 to 50 years of age. He cannot recall any other specific details regarding her description except possibly that she had blonde hair.

[redacted] recalled the name [redacted] as an individual who lived above him in Apartment [redacted] although [redacted] cannot recall whether [redacted] lived in that location at the time he [redacted] moved into the SHORECREST or if [redacted] moved into Apartment [redacted] at a later time.

[redacted] said that he has met JOSEPH and [redacted] but only briefly, and that he has not been contacted by either individual regarding the discrimination lawsuit that is in progress, nor was he contacted by either individual regarding a possible interview by the Department of Justice (DOJ) or the Federal Bureau of Investigation (FBI). [redacted] said that he has not been interviewed by anyone representing the BALISTRIERIS regarding this lawsuit.

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177B-MW-24274
MAB/enw

The following investigation was conducted by IA
[redacted] at Milwaukee, Wisconsin on January 4, 1991:

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Police Aide [redacted] Milwaukee Police
Department, Bureau of Identification (B of I), provided the
following information from B of I records:

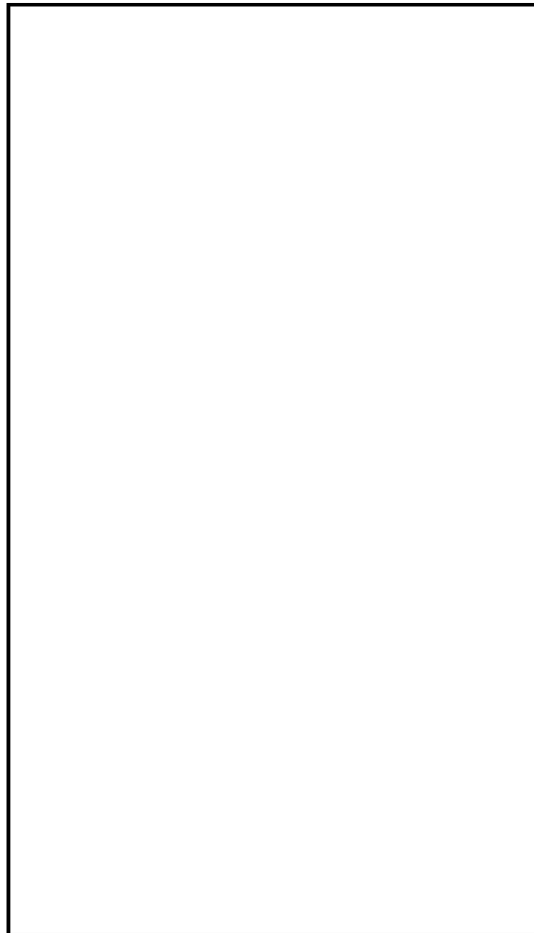
Name:	[redacted]
B of I Number:	[redacted]
Social Security	[redacted]
Account Number:	[redacted]
Race:	Black
Sex:	Male
Date of Birth:	[redacted]
Place of Birth:	Milwaukee, Wisconsin
Height:	6' 1"
Weight:	201 pounds
Build:	Well
Hair:	Black
Eyes:	Brown
Complexion:	Medium
Facial Hair:	Black Moustache
Scars and Marks:	Pierced Ear
Address:	[redacted] Milwaukee, Wisconsin
Previous Address:	[redacted] Milwaukee, Wisconsin
Occupation:	[redacted] SNUG's RESTAURANT, 1962 North Prospect Avenue Milwaukee, Wisconsin
Person to Contact	[redacted]
In Emergency:	[redacted] Milwaukee, Wisconsin

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177B-MW-24274
MAB/emw

2



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* Records of the Milwaukee Police Department do not reflect dispositions for arrests marked with an asterisk. Listed dispositions were obtained by IA [redacted] through a check of the computerized State Justice System at the Milwaukee County Sheriff's office. However, the disposition of the theft charge on October 12, 1987 is unknown, as no record of this arrest could be located in the State Justice System.

The records of the Milwaukee County Sheriff's Office, B of I, were reviewed by IA [redacted] and the following information was obtained regarding [redacted]

Name:
B of I Number:
Social Security
Account Number:
Race:
Sex:
Date of Birth:
Place of Birth:

Black
Male

[redacted]
Milwaukee, Wisconsin

177B-MW-24274
MAB/emw

Height:	6' 1"
Weight:	193 pounds
Build:	Medium
Hair:	Black
Eyes:	Brown
Address:	<div></div> Milwaukee, Wisconsin
Previous Address:	<div></div> Milwaukee, Wisconsin
Employer:	SNUG's RESTAURANT
Marital Status:	Single

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b6
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177B-MW-24274

MAB:gal

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The following investigation was conducted by
Investigative Assistant (IA) [redacted] at Milwaukee,
Wisconsin, on January 4, 1991:

Police Aide [redacted] Milwaukee Police
Department, Bureau of Identification (B of I), provided the
following information from B of I records:

Name	[redacted]
Alias	[redacted]
B of I number	[redacted]
Social Security account number	[redacted]
Race	Black
Sex	Female
Date of birth	[redacted]
Place of birth	Milwaukee, Wisconsin
Height	5'8"
Weight	130 pounds
Build	Medium
Hair	Red
Eyes	Brown
Complexion	Light
Scars and marks	1" round burn mark on right thumb
Address	[redacted] Milwaukee, Wisconsin (as of June 14, 1974) (lives with parents)
Children	[redacted]
Father of children	[redacted]
Parents	[redacted]
Occupation	[redacted] (as of April, 1971)

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b6
b7C

Arrest Record

April 9, 1971, prostitution, dismissed

June 14, 1974, disorderly conduct, \$161 fine

June 14, 1974, possession of controlled substance -
Phenmetrazine, disposition warrant refused

Records of the Milwaukee County Sheriff's Office,
B of I, were reviewed by IA [redacted] and no record of arrest was
located for [redacted]

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177B-MW-24274
MAB/emw

ADMINISTRATIVE:

The following investigation was conducted by IA
[redacted] at Milwaukee, Wisconsin on January 4, 1991:

Police Aide, [redacted] Milwaukee Police
Department, Bureau of Identification (B of I) advised the arrest
record of [redacted] B of I Number [redacted] contains the
following juvenile arrest:

b6
b7C

Date: 5/27/81
Charge: Battery

177B-mw-24274-30

177B-MW-24274
MAB/emw

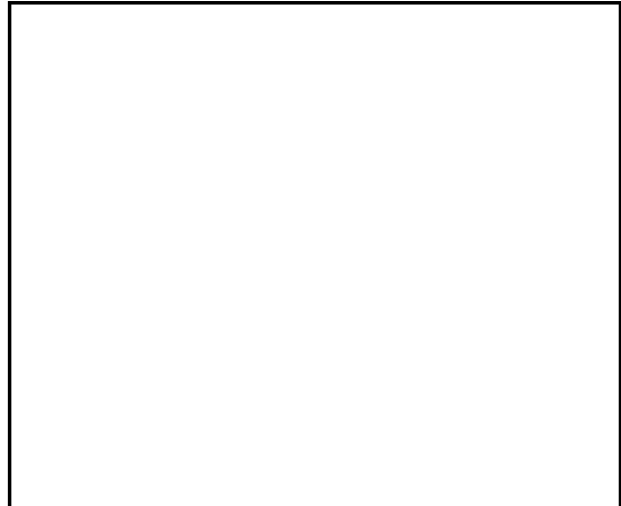
The following investigation was conducted by IA
[redacted] at Milwaukee Wisconsin on January 4, 1991:

Police Aide [redacted] Milwaukee Police
Department, Bureau of Identification (B of I), provided the
following information from B of I records:

Name:	[redacted]	b6
Alias:	[redacted]	b7C
B of I Number:	[redacted]	
Social Security	[redacted]	
Account Number:	[redacted]	
Race:	Black	
Sex:	Male	
Date of Birth:	[redacted]	
Place of Birth:	Milwaukee, Wisconsin	
Height:	6' 0"	
Weight:	162 pounds	
Build:	Slender	
Hair:	Black	
Eyes:	Brown	
Complexion:	Dark	
Facial Hair:	Black Moustache	
Scars and Marks:	Scar on left hand; Tattoos on both arms	
Remarks:	[redacted]	
Address:	[redacted] Milwaukee, Wisconsin	
Previous Address:	[redacted] Milwaukee, Wisconsin	
Occupation:	[redacted] SNUGS, 1963 East Lafayette Street Milwaukee, Wisconsin	
Person to Contact	[redacted]	b6
In Emergency:	[redacted] Milwaukee, Wisconsin	b7C
Phone	[redacted]	

177B-MW-24274- 31

177B-MW-24274
MAB/emw



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*The records of Milwaukee Police Department do not contain dispositions for arrests marked with an asterisk. Listed dispositions were obtained by IA [redacted] through a check of the computerized State Justice System at the Milwaukee County Sheriff's Office. No record of the two arrests for loitering listed above could be located.

The records of the Milwaukee County Sheriff's Office, B of I, were reviewed by IA [redacted] and no record of arrest was located there for [redacted]

PFH:BK:CGG:dp
DJ 175-85-101

DEC 31 1990

United States v. Joseph P. Balistrieri
and [REDACTED]

William S. Sessions
Director
Federal Bureau of
Investigation

John R. Dunne
Assistant Attorney General
Civil Rights Division

United States v. Joseph P. Balistrieri and [REDACTED]
[REDACTED] No. 90-C-27 (E.D. Wis. filed January 8, 1990), is a civil suit under the Fair Housing Act, 42 U.S.C. §§3601 - 3619, against Joseph Balistrieri and [REDACTED] for discriminating against black persons in the rental of apartments at the Shorecrest Hotel. The complaint alleges that the defendants engaged in a pattern and practice of discrimination by treating black apartment seekers differently from white apartment seekers. The case arose from a series of tests in April, May, and June of 1989, in which paired white and black testers went to the Shorecrest, posing as apartment seekers. Each pair presented largely similar credentials and desires. In each case the black person was treated less well, i.e., each was quoted higher rental prices and/or later availability dates. [REDACTED] was the [REDACTED] at the Shorecrest during the period in question. Joseph Balistrieri is the owner of the Shorecrest. [REDACTED] of the Shorecrest, though he is not a defendant.

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The case is expected to be tried, starting January 28, 1991. Judge Curran has granted Balistrieri's Motion for a Protective Order prohibiting FBI agents from conducting interviews of persons identified as witnesses he intends to call. Because the defendants did not turn over their list of witnesses until December 27th, after the judge granted the motion, there is little time to prepare for trial. To facilitate our interviews we hereby request criminal history records for all of the following persons as well as other background information which the FBI may have about the following list of persons. Because of the Protective Order, please do not contact any of these people directly. Needless to say, however, we need the material as quickly as possible. If you have any questions, please contact [REDACTED] the attorneys assigned to the case, at [REDACTED]

177B-MW-24274-32
J

Defense witnesses include:

[REDACTED]

Milwaukee, Wisconsin 53202

[REDACTED]

Milwaukee, Wisconsin

[REDACTED]

Milwaukee, Wisconsin 53202

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

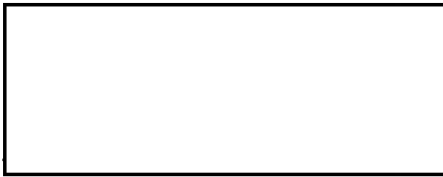
[REDACTED]

[REDACTED]

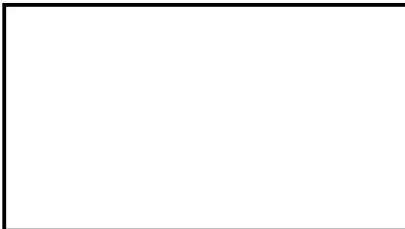
[REDACTED]

Milwaukee, Wisconsin

[REDACTED]



Antonina Balistrieri
3043 N. Shepard Ave.
Milwaukee, Wisconsin
964-4069



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TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 1/8/91

FROM: Director, FBI

TO: SAC, Milwaukee (177B-MW-24274)

UNITED STATES VS. JOSEPH P. BALISTRIERI
 AND [REDACTED]
 CIVIL RIGHTS
 OO: MILWAUKEE

Reference Bureau telcal of Civil Rights Case Analyst [REDACTED]
 to SA [REDACTED], Milwaukee, 1/4/91.

Enclosed are two copies of a Department of Justice letter dated 12/31/91 requesting investigation in captioned case.

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This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 177, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

~~XX~~

Remarks:

In referenced telcal, Milwaukee advised the Civil Rights Unit, FBIHQ, that the investigation requested by the Department of Justice in the attached DOJ letter is already being conducted by Milwaukee, which investigation will be submitted to FBIHQ in a form suitable for dissemination to DOJ.

Enc. (2)

242 177-MW-24274-33

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 12 1991	
[REDACTED]	

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Ho file

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* TRANSMISSION REPORT(JAN 11 '91) ; *
*

*

DATE	START	REMOTE TERMINAL	MODE	TIME	PAGES	RESULT
JAN 11	11:15	202 514 1116	G3T	06'46"	013	OK

177B
24274



FBI FACSIMILE COVERSHEET

CLASSIFICATION

PRECEDENCE

- ☐ Immediate
☒ Priority
☐ Routine

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☐ Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: _____

To: DEPT. OF JUSTICE (CIVIL RIGHTS DIV)
 (Name of Office)

Date: 1-11-91

Facsimile number: (202) 514-1116

Attn: _____

(Name)

Room

Telephone No.) _____

From: MILW, WISC.

(Name of Office)

Subject: JOSEPH P. BALISTRERI;

HOUSING DISCRIMINATION;

CIVIL RIGHTS

b6
b7C

Special Handling Instructions: HANDCARRY TO

Originator's Name: SA

Telephone _____

Originator's Facsimile Number: _____

Approved: [Signature]

177B-MW-24274-34
FBI/DOJ

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 1/17/91

TO : DIRECTOR, FBI
 (ATTENTION: CIVIL RIGHTS SECTION SUPERVISOR)

FROM : SAC, MILWAUKEE (177B-MW-24274) (P)

SUBJECT : UNITED STATES VS. JOSEPH P. BALISTRERI
 AND
 CIVIL RIGHTS;
 OO: MILWAUKEE

Re Bureau airtels to Milwaukee, dated 12/19/90 and 1/8/91.

b6
 b7C

Enclosed for the Bureau are copies of the following:

1. FD-302 reflecting interview of dated 12/10/90.
2. FD-302 reflecting interview of dated 12/11/90.
3. Defendant's Motion for a Protective Order Regarding Prospective Witnesses, dated 12/18/90.
4. Order of U.S. District (USDJ) Judge THOMAS J. CURRAN granting Defendant's motion, dated 12/28/90.

3 - Bureau (Enc. 8)
 ① - Milwaukee (177B-MW-24274)
 FWT:bjh
 (4)

SEARCHED

SERIALIZED

Approved: _____

Transmitted _____

(Number)

(Time)

Per _____

177B MW-24274-35

177B-MW-24274

5. Four investigative inserts reflecting investigation conducted by Milwaukee IA [redacted] on 1/4/91.

As requested by DOJ Attorney [redacted] the above items, excluding items three and four, were sent to Attorney [redacted] via facsimilie.

The Bureau is being provided with copies of items three and four above inasmuch as they pertain to a decision by Eastern District of Wisconsin (EDW) USDJ THOMAS CURRAN, which impacts upon Bureau procedures involving interviews by FBI agents in civil rights cases.

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Attorney [redacted] has requested that the FBI Milwaukee conduct criminal checks where possible regarding those individuals listed as potential witnesses for subject BALISTRERI. The enclosed inserts reflect the positive results regarding those checks.

Attorney [redacted] has also requested that SA [redacted] be available during the week of 1/22/91 to assist in the preparation for trial scheduled in Milwaukee on 1/28/91. UACB SA [redacted] will assist Attorney [redacted] and this matter will remain in pending status until the trial is concluded.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) PAGE - 5
MILWAUKEE SENTINEL
MILWAUKEE, WISCONSIN
Date: JANUARY 29, 1991
Edition: FINAL

Title: JOSEPH P. BALISTRIERI
ET AL

Character: DIH
or
Classification: 177B-MW-24274
Submitting Office: MILWAUKEE

Indexing:

The trial is scheduled to resume at 9:30 a.m. Tuesday in Federal Judge Thomas J. Curran's courtroom.

Racial bias in rent price alleged

By TANNETTE JOHNSON-ELIE
Sentinel staff writer

A manager of the Shorecrest Hotel Apartments gave a black woman a higher rental price than a white woman got when she sought a unit there in 1989, according to opening testimony Monday in the federal civil trial of Joseph P. Balistreri.

Balistreri, a son of Frank P. Balistreri, who has been identified in federal documents as the reputed leader of organized crime in Milwaukee, is accused of discriminating against blacks by refusing to rent units to them in his Shorecrest Hotel Apartments at 1962 N. Prospect Ave.

Balistreri and Angeline A. Hurdelbrink, a former rental manager at Shorecrest, are being tried by the US Department of Justice on charges they discriminated against blacks in violation of the Fair Housing Act, which ensures equal opportunity in the housing industry.

Carla Herbig, one of five blacks sent to the Shorecrest by the Metropolitan Milwaukee Fair Housing Council, testified she met with Hur-

delbrink on April 25, 1989, and was shown a one-bedroom apartment.

"A white tester who had called was told a one-bedroom apartment was available for \$480, but I was shown one the next day that was available for \$500," Herbig said. "I did not discuss the price difference with Angeline."

Herbig said she did not recall any signs of discrimination during the appointment.

In opening arguments, prosecutors said Balistreri "showed a pattern of discrimination" against five blacks who were sent to the Shorecrest to determine whether blacks were subject to different rental conditions than whites.

"In every case, blacks were quoted higher rents and quoted later availability dates for apartments," said Clay Guthridge, a trial lawyer for the Justice Department's Civil Rights Division. "There were no signs posted saying no blacks allowed and no evidence of racial slurs. But the evidence will show that when blacks came to the Shorecrest they were treated differently than whites."

Balistreri, 49, a former attorney who is representing himself in the case, denied the allegations of discrimination and told jurors that no blacks were denied an apartment at the Shorecrest.

"The Shorecrest absolutely at no time engaged in any discrimination, patterned or otherwise," Balistreri said. "Five young black people are living at the Shorecrest. One young black man lived down the hall from me."

The Fair Housing Council suit seeks unspecified compensatory damages, a civil penalty of up to \$50,000 and asks that Balistreri be ordered to stop the alleged discriminatory practices.

Carla Werthelm, associate director of the Fair Housing Council, testified that the Shorecrest was chosen as a test site because it was close to where Herbig lived.

Balistreri argued that there were at least 2,000 other apartment units located closer to Herbig than the Shorecrest.

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SEARCHED	INDEXED
SERIALIZED	FILED
JAN 30 1991	
MILWAUKEE	

[Signature]

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) PAGE - B2
 THE MILWAUKEE JOURNAL
 MILWAUKEE, WISCONSIN
 Date: JANUARY 29, 1991
 Edition: LATEST

Title:

ET AL

Character: DIH

or
 Classification: 177B-MW-24274
 Submitting Office: MILWAUKEE

Indexing:

Fair housing

Trial opens over bias charges at Shorecrest

Management allegedly quoted higher rental rates to black prospects

By JOEL DRESANG
 of The Journal Star

Carla Herbig said she was treated courteously when she was shown an apartment at The Shorecrest in April 1989. But a few months later, after being told that she was the victim of housing discrimination, she began feeling upset and nauseated.

"It's still persisting. I still feel upset about it," Herbig, who went to The Shorecrest as part of a fair housing test at the building, told a Federal Court jury in Milwaukee on Monday. "I feel physically upset. I can't sleep. I feel embarrassed and ashamed."

Herbig of Milwaukee is one of five black people who participated in the test on whose behalf the US Justice Department is suing Joseph P. Balistrieri, the owner, and Angeline A. Hurdelbrink, the former rental manager, of The Shorecrest, 1962 N. Prospect Ave. The charge: violating federal housing laws that prohibit racial discrimination.

"Time and again, when black persons came to The Shorecrest, they were shown fewer apartments, quoted higher rents and given later dates of availability than white persons," Asst. US Atty. Gen. Clay G. Guthridge told a panel of two black and five white jurors.

Guthridge and Barbara Kammerman, both lawyers from the Justice Department's Civil Rights Division in Washington, D.C., contend that tests by the Metropolitan Milwaukee Fair Housing Council prove that The Shorecrest has had a "pattern and practice" of discriminating against blacks.

Herbig participated in the housing council's first test, in which Hurdelbrink showed her a one-bedroom apartment in the 7116-unit historic building that looks out on Lake Michigan.

Five times between April and June 1989, the housing council sent a white volunteer and then a black volunteer to ask about renting at The Shorecrest. Each time, the white person came back with a better deal. Carla Wertheim, associate director of the private agency, told the jury.

BLACKS CHARGED HIGHER RENT

In Herbig's case, a white woman was told that a one-bedroom apartment cost \$480 a month. Herbig was quoted a rent of \$500.

For his part, Balistrieri — who is acting as his own attorney — asserted to the jury that neither he nor his employees "absolutely at no time engaged in racial discrimination."

Balistrieri, 49, questioned the way the charges against The Shorecrest arose from the discrimination tests of the housing council. The case was not the result of a complaint filed by a black resident of The Shorecrest — of which there were five at the time of the tests, Balistrieri said. Nor was a black prospective tenant denied access to the building, he contended, noting that none of the housing council's volunteers had applied for an apartment.

Wertheim told Balistrieri in testimony that as far as she knew no one else had made a discrimination complaint against The Shorecrest, which Balistrieri has owned since 1971. Wertheim testified that the housing council at first chose to practice its test at The Shorecrest only because of its convenient location.

Balistrieri and Roland J. Steinle Jr. — who is Hurdelbrink's attorney and has an office suite in The Shorecrest — questioned whether Herbig and the others had suffered damages. Through cross-examination of Herbig, they tried to establish that she had felt badly about her experience at The Shorecrest only after the housing council suggested to her that she had been discriminated against.

In his opening statement, Guthridge acknowledged to the jury that The Shorecrest had not hung out a sign saying no blacks allowed. He conceded that the building has had black tenants. But he and Kammerman insisted that at least the five black housing council volunteers had suffered from unfair treatment at The Shorecrest.

The federal suit seeks money from Balistrieri and Hurdelbrink to compensate the housing council and the alleged victims, though no dollar amount has been specified. Also, Federal Judge Thomas J. Curran separately could penalize The Shorecrest up to \$50,000, depending on the jury's verdict.

177B-MW-24274-37

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 30 1991	
FBI - MILWAUKEE	



Department of Justice
Federal Bureau of Investigation
Milwaukee Division

Office of the Special Agent in Charge

February 7, 1991

Mr. Joseph R. Davis
Assistant Director
Legal Counsel Division
Federal Bureau of Investigation
Washington, D. C.

Dear Joe,

Appreciated your taking the time
to discuss this with me.

Thanks.

177B-mw-24274-38

COPY RETAINED FOR
JUDGE'S FILE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DIST. COURT EAST DIST. WIS.
FILED

DEC 28 1990

AT _____ O'CLOCK _____
SOFRON B. NEDILSKY

UNITED STATES OF AMERICA,
Plaintiff,

v.

Case No. 90-C-27

JOSEPH P. BALISTRIERI and
[REDACTED]

Defendants.

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ORDER

Based on the proceedings at the final pretrial conference held in the above-captioned case on December 27, 1990, the court ORDERS that the parties' Amended Final Pretrial Report is adopted as the pretrial order of this court. See Federal Rule of Civil Procedure 16.


IT IS FURTHER ORDERED that defendant Joseph P. Balistrieri's Motion for a Protective Order Regarding Prospective Witnesses (filed December 8, 1990) IS GRANTED according to the terms set by the court at the conference.

IT IS FURTHER ORDERED that the plaintiff's Motion for Order Deeming as Admitted Certain Requests for Admission (filed December 26, 1990) IS DENIED. The parties shall meet to reassess their positions on the requests for admissions and if they are unable to agree on the completeness of the answers propounded to any of the requests, the parties shall resubmit the matter to the court for a ruling.

On the date matters in dispute are submitted, the defendants shall provide the court with specific reasons for their objections to answering any unanswered or incompletely answered request. The failure to submit a specific objection shall result in waiver of the right to object.

IT IS FURTHER ORDERED that, on or before January 22, 1991, the parties shall submit one, coordinated, joint set of jury instructions incorporating the court's standard instructions. If the parties cannot agree on the wording on a particular instruction, both versions must be included in the single set of instructions with the difference between the two versions clearly underlined or highlighted and accompanied by statutory or case authorities supporting the differing versions. If pattern instructions are used, each instruction must be tailored to reflect the circumstances of the instant case. The court will not accept pattern instructions with blanks or choices of alternative wording. If the jury instructions do not conform with this order, they will be returned to the parties for revision.

Done and Ordered in Chambers at the United States Courthouse, Milwaukee, Wisconsin this 28th day of December, 1990.


Thomas J. Curran
United States District Judge

AFFIDAVIT IN SUPPORT OF MOTION

90-C-27

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

U.S. DISTRICT COURT EAST

DEC 28 P2:33

JOSEPH P. BALISTRERI, BEING FIRST DULY SWORN ON OATH, ...
DEPOSES AND STATES THE FOLLOWING:

1. HE IS ONE OF THE DEFENDANTS IN THE CASE ENTITLED UNITED STATES OF AMERICA V. JOSEPH P. BALISTRERI, ET AL. CASE NO. 90-C-007 PRESENTLY ON FILE IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN.
2. HE SUBMITS THIS AFFIDAVIT PURSUANT TO THE COURT'S ORDER OF DECEMBER 19, 1990, WHICH FOLLOWED UPON HIS MOTION FOR A PROTECTIVE ORDER SEEKING AN ORDER EITHER SUSTAINING HIS DECISION TO WITHHOLD FROM THE PLAINTIFF HIS LIST OF PROSPECTIVE WITNESSES OR, IN THE ALTERNATIVE, AN ORDER PROHIBITING HIS PROSPECTIVE WITNESSES FROM BEING INTERVIEWED OR INTERROGATED BY SPECIAL AGENTS OF THE F.B.I.
3. AS HE STATED IN THE AFOREMENTIONED MOTION, HE RE-ITERATES NOW THAT IT HAS BEEN THE PRACTICE OF THE PLAINTIFF'S ATTORNEYS TO USE SPECIAL AGENTS OF THE F.B.I. TO EITHER INTERVIEW OR TO INTERROGATE PERSONS IT THOUGHT HAD EVIDENCE OR INFORMATION IN THIS MATTER.
4. IT HAS BEEN THE CUSTOMARY AND USUAL PRACTICE OF THESE SPECIAL AGENTS TO ATTEMPT TO CONTACT AND INTERVIEW THESE PERSONS EITHER BY TELEPHONE OR IN PERSON AND EITHER AT THEIR RESIDENCE OR PLACE OF BUSINESS OR EMPLOYMENT.
5. TO THIS DATE, AFFIANT IS INFORMED AND BELIEVES THAT SOME

116

20 PERSONS HAVE BEEN SO INTERVIEWED AND/OR INTERROGATED BY SPECIAL AGENTS OF THE F.B.I. IN CONNECTION WITH THIS MATTER; THIS BELIEF IS BASED UPON THE INFORMATION SUBMITTED TO THE DEFENDANT BY ATTORNEYS FOR THE PLAINTIFF IN ITS RESPONSES TO THE DEFENDANT'S INTERROGATORIES.

6. A MAJORITY OF THE PERSONS CONTACTED BY THE F.B.I. HAVE SUBSEQUENTLY INFORMED YOUR AFFIANT OF SUCH CONTACT AND EXPRESSED FEAR AND/OR CONCERN THAT THE MATTER UNDER INVESTIGATION, BECAUSE OF THE F.B.I. CONTACT, WAS OF A CRIMINAL RATHER THAN A CIVIL NATURE; ALSO, THEY HAVE INDICATED TO YOUR AFFIANT THAT THE MERE INCIDENCE OF F.B.I. CONTACT HAS CREATED IN THE MINDS OF FRIENDS, FAMILY, AND/OR EMPLOYERS THAT EITHER THEY, THEMSELVES, WERE INVOLVED IN SOME ILLEGAL ACTIVITY OR THAT THEY ARE ASSOCIATED WITH PERSON OR PERSONS WHO ARE INVOLVED IN ILLEGAL ACTIVITY THUS CAUSING THEM ANNOYANCE AND/OR EMBARRASSMENT AND OPPRESSION.

7. THROUGHOUT THE PREPARATION OF THE TRIAL OF THIS MATTER, YOUR AFFIANT HAS SOLICITED THE TESTIMONY OF OTHER INDIVIDUALS SOME OF WHOSE IDENTITIES ARE THUS FAR UNKNOWN TO THE PLAINTIFF. IN HIS SOLICITATION OF TESTIMONY, AFFIANT HAS THOUGHT IT FAIR AND PROPER TO INFORM THESE PERSONS THAT IN THE EVENT OF THEIR NAME(S) BEING SUBMITTED TO THE PLAINTIFF THAT THEY, IN ALL LIKELIHOOD, WOULD BE CONTACTED BY SPECIAL AGENTS OF THE F.B.I. AS A FOLLOW UP PROCEDURE UTILIZED BY THE PLAINTIFF.

8. THAT CERTAIN OF THESE PROSPECTIVE WITNESSES HAVE INDICATED TO YOUR AFFIANT, THAT IN SUCH AN EVENTUALITY OF AN F.B.I. CONTACT, THEY WOULD NO LONGER BE INTERESTED IN COMING FOWARD AT THE TRIAL AND TESTIFY FAVORABLY FOR YOUR AFFIANT AS THEY NO LONGER CARED "TO GET INVOLVED" WITH EITHER THE UNITED STATES OF AMERICA OR THE F.B.I.."

9. IN AT LEAST ONE INSTANCE, ON DECEMBER 13, 1990, AN

ACQUAINTANCE OF YOUR AFFIANT HAS INFORMED HIM THAT IT WAS CONTACTED BY A SPECIAL AGENT OF THE F.B.I. WHO STATED IN SUBSTANCE, "GIVE ME SOMETHING, ANYTHING ON THE BALISTRIERIS," REFERRING DIRECTLY TO YOUR AFFIANT.

10. AFFIANT HAS COMMUNICATED THIS PROBLEM TO ATTORNEYS FOR THE PLAINTIFF AND THEY ARE AWARE OF THE CHILLING EFFECT A FOLLOW- UP CONTACT AND/OR INTERROGATION BY THE F.B.I. WILL HAVE ON HIS ABILITY TO CALL WITNESSES AND PRESENT POSITIVE, EXCULPATORY EVIDENCE IN THIS MATTER YET THEY HAVE REFUSED TO AGREE NOT TO SEND SPECIAL AGENTS OF THE F.B.I. EVEN THOUGH FULLY AWARE THAT IN THE VAST RESOURCES OF THE PLAINTIFF OTHER LESS FEARSOME AND COERCIVE INVESTIGATORS ARE AVAILABLE, THUS CREATING FOR THE PLAINTIFF AND UNDUE AND UNFAIR ADVANTAGE IN THE PRESENTATION OF WITNESSES AND EVIDENCE IN THIS MATTER.

11. TO THE PRESENT DATE, THE AFFIANT HAS THE NAMES OF 21 ADDITIONAL WITNESSES HE WOULD PLAN TO CALL AT THE TRIAL OF THIS MATTER, DEPENDING, OF COURSE, ON THE NATURE OF THE PLAINTIFF'S CASE IN CHIEF MOST OF WHOSE IDENTITIES WERE KNOWN TO THE PLAINTIFF AND WHOSE DEPOSITIONS WERE AVAILABLE TO IT BEFORE THE CUT OFF DATE OF DISCOVERY OF AUGUST 15, 1990.

12. AFFIANT IS WILLING TO (A) SUBMIT THE NAMES OF THESE WITNESSES TO THE COURT UNDER SEAL OR (B) SUBMIT THEM TO THE PLAINTIFF UNDER A PROTECTIVE ORDER THAT THEY WILL NOT BE CONTACTED BY SPECIAL AGENTS OF THE F.B.I. THUS SPARING THEM ANNOYANCE, EMBARRASSMENT AND OPPRESSION AND CREATING A RELUCTANCE IN THEM IN COMING FOWARD AT THE TRIAL OF THIS MATTER, AND THUS EFFECTIVELY DEPRIVING THE AFFIANT OF THE ABILITY TO CALL THESE PERSONS AS WITNESSES, AN EVENT WHICH IN ALL LIKLIHOOD WILL UNFAVORABLY TIP THE BALANCE OF THIS MATTER TO THE PLAINTIFF AND TO THE IRRETRIEVALBE DETRIMENT OF YOUR AFFIANT.

DATED DECEMBER 28, 1990 AT MILWAUKEE, WISCONSIN

JOSEPH P. BALISTRIERI

SUBSCRIBED AND SWORN TO BEFORE ME
THIS DAY OF DECEMBER, 1990.

Joseph P. Balistrieri
NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION IS PERMANENT

Case No. 90-C-27

U

PARTIAL LIST OF PROSPECTIVE WITNESSES

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U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

90 FEB 28 P2:33

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IN THE UNITED STATES DISTRICT COURT

FOR THE
EASTERN DISTRICT OF WISCONSIN ^{U.S. DIST. COURT EAST}

UNITED STATES OF AMERICA,) CASE No. 90-C-27 120
PLAINTIFF,) 90 DEC 18 P1:15
V.) DEFENDANT'S MOTION FOR A
JOSEPH P. BALISTRIERI, AND) PROTECTIVE ORDER REGARDING
[REDACTED]) PROSPECTIVE WITNESSES
DEFENDANTS.)
)
)

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NOW COMES THE ABOVE NAMED DEFENDANT, JOSEPH P. BALISTRIERI, AND UPON THE GROUNDS STATED HEREIN, MOVES THE COURT TO ENTER AN ORDER SUSTAINING HIS REFUSAL TO SUBMIT THE NAMES OF HIS PROSPECTIVE WITNESSES, OR IN THE ALTERNATIVE TO ENTER A PROTECTIVE ORDER PROHIBITING SPECIAL AGENTS OF THE F.B.I. FROM INTERVIEWING OR INTERROGATING THOSE WITNESSES. THE GROUNDS FOR THIS MOTION ARE AS FOLLOWS:

1. PURSUANT TO A PRE-TRIAL ORDER OF THIS COURT, THE DEFENDANT IS REQUIRED TO SUBMIT TO THE PLAINTIFF A LIST OF THE PROSPECTIVE WITNESSES HE INTENDS TO CALL AT THE TRIAL OF THIS MATTER.
2. THE DEFENDANT HAS SUBMITTED A PARTIAL LIST OF HIS PROSPECTIVE WITNESSES BUT IS RELUCTANT TO RELEASE THE IDENTITIES OF OTHER WITNESSES IN ORDER TO SPARE THEM THE ANNOYANCE, EMBARRASSMENT, AND OPPRESSION OF BEING INTERVIEWED AND/OR INTERROGATED BY SPECIAL AGENTS OF THE F.B.I. EITHER AT THEIR HOME OR AT THEIR PLACE OF EMPLOYMENT.
3. THROUGHOUT THE ENTIRE PRE-TRIAL INVESTIGATION OF THIS MATTER, THE PLAINTIFF HAS UTILIZED SPECIAL AGENTS OF THE

4

F.B.I. TO INTERVIEW OR TO INTERROGATE PERSONS THE PLAINTIFF BELIEVED HAD EVIDENCE OR INFORMATION IN THIS MATTER.

4. DEFENDANT SUBMITS THAT AN F.B.I. INTERVIEW CREATES THE UNMISTAKABLE IMPRESSION IN A LAY WITNESS THAT THE MATTER UNDER INVESTIGATION IS A CRIMINAL MATTER AND NOT MERELY A CIVIL SUIT.

5. DEFENDANT ALSO SUBMITS THAT F.B.I. CONTACT WITH HIS PROSPECTIVE WITNESSES WHICH ARE INSTIGATED BY HIS TURNING THEIR IDENTITIES OVER TO THE PLAINTIFF WILL HAVE A SEVERE CHILLING EFFECT ON THOSE WITNESSES VOLUNTARILY COMING FORWARD AT A LATER DATE TO TESTIFY AT THE TRIAL SINCE THOSE PERSONS WILL FEAR F.B.I. OR GOVERNMENT RETALIATION, FEEL INTIMIDATION TO THE DEGREE THAT THEY WILL LONGER CARE TO BE INVOLVED, OR BE COERCED BY THE SPECIAL AGENTS NOT TO TESTIFY ON DEFENDANT'S BEHALF.

6. DEFENDANT FURTHER SUBMITS THAT IT IS THE PRACTICE OF THE SPECIAL AGENTS OF THE F.B.I. TO ATTEMPT TO CONTACT WITNESSES EITHER THROUGH FAMILY MEMBERS OR AT THEIR PLACES OF EMPLOYMENT THUS CREATING IN THE MINDS OF FAMILY OR EMPLOYERS SUSPICIONS OF WRONG-DOING OR ILLEGAL ACTIVITY ON THEIR PART CAUSING THEM EMBARRASSMENT, HUMILIATION, FEAR, AND OPPRESSION.

7. DEFENDANT SUBMITS THAT SUCH CONTACT OF HIS WITNESSES BY SPECIAL AGENTS OF THE F.B.I. FOR THE REASONS STATED ABOVE WILL DEPRIVE HIM OF VALUABLE AND NECESSARY EXCULPATORY EVIDENCE AND IRREDEMIABLY PREJUDICE HIS CASE AND HIS ABILITY TO DEFEND AGAINST THE PLAINTIFF'S ALLEGATIONS.

8. THE DEFENDANT HAS MADE THE ABOVE CIRCUMSTANCES KNOWN TO THE PLAINTIFF BUT IT HAS REFUSED TO STATE THAT PROSPECTIVE WITNESSES WILL NOT BE VISITED BY THE F.B.I..

WHEREFORE, DEFENDANT ADDRESSES THIS MOTION TO THE SOUND DISCRETION OF THE TRIAL COURT, AND ARGUING THE THRUST OF RULE 26(c) OF THE FEDERAL RULES OF CIVIL PROCEDURE, AND ASKS THIS COURT TO ENTER AN ORDER EITHER SUSTAINING DEFENDANT'S SUBMISSION OF A PARTIAL LIST OF WITNESSES OR ENTERING A PROTECTIVE ORDER PREVENTING THE DEFENDANT'S PROSPECTIVE WITNESSES FROM ANNOYANCE, EMBARRASSMENT, OR OPPRESSION OF INTERVIEWS AND INTERROGATIONS BY SPECIAL AGENTS OF THE F.B.I. ON MATTERS CONCERNING THEIR KNOWLEDGE OF MATTERS PERTAINING TO THIS CASE.

DATED THIS 18 DAY OF DECEMBER, 1990 AT MILWAUKEE, WISCONSIN



JOSEPH P. BALISTRIERI, PRO SE

C E R T I F I C A T E O F M A I L I N G

THE UNDERSIGNED JOSEPH P. BALISTRIERI, HEREBY CERTIFIES THAT
ON THE DATE INDICATED BELOW HE PLACED THE DOCUMENT TITLED
"DEFENDANT'S MOTION FOR A PROTECTIVE ORDER REGARDING
PROSPECTIVE WITNESSES" IN THE UNITED STATES MAILS, POSTAGE
PREPAID TO COUNSEL FOR THE PLAINTIFF AT THE FOLLOWING
ADDRESS.



ATTORNEY, HOUSING AND CIVIL RIGHTS, DIVISION
CIVIL ENFORCEMENT SECTION
UNITED STATES DEPARTMENT OF JUSTICE
P.O. Box 65988
WASHINGTON D.C. 20035-5998

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DATED AT MILWAUKEE, WISCONSIN THIS 18TH DAY OF DECEMBER 1990

JOSEPH P. BALISTRIERI

Indices Search Slip
FD-160 (Rev. 7-28-89)

To: Office Services Manager

Subject

SEE ATTACHED

Date

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177B-MW-

Social Security Account #

24274

Aliases

Address

Birth Date

Birth Place

Race

Sex

☐ Male
☐ Female

☐ Exact Spelling

☐ Main Criminal Case Files Only

☐ Restrict Locality of

☒ All References

☐ Criminal References Only

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☐ Security References Only

☐ Main Criminal (If no Main, list all Criminal References)

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Consolidated by

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Date

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NI - Not identical

File Review Symbols

? - Not identifiable
U - Unavailable reference

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HOUSING SECTION

003

Defense witnesses include:

[REDACTED]
Milwaukee, Wisconsin 53202

[REDACTED]
Milwaukee, Wisconsin

[REDACTED]
Milwaukee, Wisconsin 53202

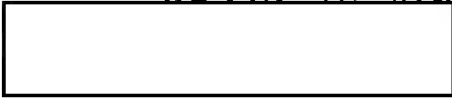
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Milwaukee, Wisconsin

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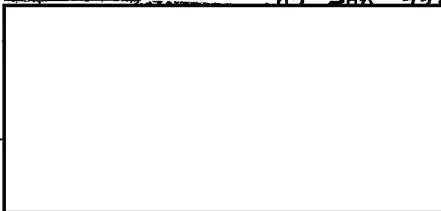
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00-190-D-576; 147-0-75 P.2 Dest



Antonina Balistreri
3043 N. Shepard Ave.
Milwaukee, Wisconsin
964-4069

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183-580 Sub A-56, A-65; 183-580 Sub E 40

177B-MW-24274

MAB:cal

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The following investigation was conducted by
Investigative Assistant (IA) [redacted] at Milwaukee,
Wisconsin, on January 4, 1991:

The records of the Milwaukee Police Department, Bureau
of Identification (B of I), were checked by Police Aide [redacted]
[redacted] and the records of the Milwaukee County Sheriff's
Office, B of I, were checked by IA [redacted] and no record of
arrest was located for [redacted]

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177B-MW-24274- 40

177B-MW/24274
MAB/ll

The following investigation was conducted by
Investigative Assistant (IA) [redacted] at Milwaukee,
Wisconsin, on January 15, 1991:

Review was conducted of case number 2-807106, Milwaukee
County Circuit Court, Misdemeanor Section, entitled STATE OF
WISCONSIN VERSUS [redacted]
Milwaukee, Wisconsin. b6 b7C

The complaint in this matter, dated March 28, 1988,
alleges that the defendant worked as a dental hygienist between
June 1, 1986, and October 20, 1987 at the North Point Dental
Group Limited, and she represented herself as a certified dental
hygienist during that period. A check of all files and records
of the Wisconsin Department of Regulation and Licensing, Bureau
of Health, Board Certified Dental Hygienist, reflects that at no
time was the defendant ever certified to practice as a dental
hygienist.

A summons was issued the same day ordering the
defendant to appear in Milwaukee County Circuit Court on May 2,
1988, to answer the criminal complaint. The defendant failed to
appear and a warrant was issued for her arrest on May 2, 1988.
This warrant is currently outstanding.

177B-mw-24274-41

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) SECTION - B
PAGE - 1B
THE MILWAUKEE JOURNAL
MILWAUKEE, WISCONSIN

Date: FEBRUARY 6, 1991
Edition: LATEST

Title: JOSEPH P. BALISTRIERI ET AL

Character: DIH
or
Classification: 177B-MW-24274
Submitting Office: MILWAUKEE

Indexing:

2 found guilty in Shorecrest case

Balistrieri, former rental manager must pay \$15,000 over racial bias

By JOEL DRESANG
of The Journal staff

A federal jury has found Joseph P. Balistrieri and the former rental manager for his 'East Side' apartment building guilty of racial discrimination in rental practices. The seven-person jury in Federal Judge Thomas J. Curran's courtroom ordered Balistrieri, 49, and Angeline A. Hurdelbrink, 56, the former manager, to pay \$15,000 to the Metropolitan Milwaukee Fair Housing Council and five black testers, who sought rental information at The Shorecrest, 1962 N. Prospect Ave. The jury awarded \$2,000 to each of the testers and \$5,000 to the housing council.

In addition, Curran was to consider Wednesday whether to order separate penalties, including up to \$50,000 in fines. The jury, comprised of five whites and two blacks, deliberated about 90 minutes before returning the verdict Tuesday night.

The case stems from five tests of The Shorecrest by the housing council in the spring of 1989. In each test, a black person and a white person posed separately as prospective tenants seeking similar apartments.

"Time and again, black testers at The Shorecrest got less favorable information, got less information and got different treatment than white testers," Barbara Kammerman, a lawyer for the US Justice Department's Civil Rights Division, told jurors in closing arguments Tuesday. "There were no

racial slurs and there was no sign at the door, but as far as we can tell, the door was slammed in the black persons' faces."

Balistrieri, who represented himself in the case, and Roland Steinle Jr., Hurdelbrink's lawyer, questioned whether the tape recordings and written reports of the housing council testers truly showed that The Shorecrest had a pattern and practice of discriminating on the basis of race.

In 1989, Balistrieri was paroled from federal prison, where he had been serving an eight-year sentence for extortion. His father, Frank Balistrieri, who was Milwaukee's reputed Mafia boss, remains in federal prison in Butner, N.C., where he is serving a 10- to 13-year term for sports book-making, extortion and skimming gambling profits from a Las Vegas casino. His release date is Nov. 8.

SEARCHED INDEXED
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FBI - MILWAUKEE

177B MW-24274-42 FBI/DO.

(Indicate page, name of newspaper, city and state.) PAGE - 1
MILWAUKEE SENTINEL
MILWAUKEE, WISCONSIN

(Mount Clipping in Space Below)

Balistreri discriminated, jury decides

By TANNETTE JOHNSON-ELIE
Sentinel staff writer

Joseph P. Balistreri discriminated against blacks who wanted to rent units at his Shorecrest Hotel Apartments, a federal jury decided Tuesday.

The seven-person jury in its unanimous ruling ordered him to pay \$10,000 in damages to five black testers from the Metropolitan Milwaukee Fair Housing Council.

The jury also ordered Balistreri to pay \$5,000 in damages to the fair housing council, which brought the federal civil lawsuit on behalf of the five black testers.

Balistreri, son of Frank P. Balistreri, who has been identified in federal documents as the reputed leader of organized crime in Milwaukee, angrily stormed out of the courtroom after the verdict was read by Judge Thomas J. Curran.

The jury, which deliberated for about two hours, also found that a former Shorecrest manager, Angela A. Hurdelbrink, also discriminated against the fair housing council testers.

Neither Balistreri nor Hurdelbrink would talk to reporters after the verdict.

The U.S. Justice Department said Balistreri and Hurdelbrink violated the Fair Housing Act by refusing to rent units to blacks at the Shorecrest, 1962 N. Prospect Ave.

The Fair Housing Act prohibits discrimination in the housing industry on the basis of race.

The government also said blacks were quoted higher rents than whites and were told certain units were not available for inspection or rent when they were available.

Barbara Kammerman, a trial lawyer for the Justice Department's Civil Rights Division, said Balistreri might face additional civil penalties.

The matter is to be discussed at a hearing set for 10 a.m. Wednesday in Curran's courtroom.

The eight-day trial centered on the testimony of five black testers who were sent to the Shorecrest between April and June of 1989 as part of a market test to determine whether blacks were subject to different rental conditions than whites.

Hurdelbrink testified that she told Balistreri she was quitting in June of 1988 because she had become stressed out.



"He told me I was doing a good job but I wasn't getting enough money for the apartments," Hurdelbrink said. "He said I should've gotten more money."

Balistreri, 49, who represented himself, denied the discrimination allegations and said he never instructed Hurdelbrink or any other Shorecrest employees to impose different rental terms on blacks.

Balistreri said five blacks lived at the Shorecrest between April and June 1989.

He said one of the blacks, Jeffrey Lee, the half brother of television talk show hostess Oprah Winfrey, had lived next door to him. Lee died of AIDS Dec. 22.

Balistreri and his brother, John J. Balistreri, were sentenced in July of 1984 to eight years in prison for conspiracy to extort and attempted extortion of a Milwaukee vending machine owner. They were released in early 1989.

Their father was sentenced in 1984 for extortion and gambling. He is serving concurrent 13-year and 10-year sentences in a federal prison in Pennsylvania.

FEBRUARY 6, 1991
on: FINAL

Title: JOSEPH P. BALISTRERI, ET AL

Character: DIH
or
Classification: 177B-MW-24274
Submitting Office: MILWAUKEE

Indexing:

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 7 1991	
FBI - MILWAUKEE	

177B-MW-24274-43 FBI/DOJ

(Mount Clipping in Space Below)

Balistreri glitters less in new limelight

Back in court, Joseph P. Balistreri seemed to have brought along less flash, less flair. His glasses were thicker, his hair thinner. His patented dash seemed softened by age and circumstance.

Earlier this week, in a hall outside the courtroom of Federal Judge Thomas J. Curran, he said, "Rusty as hell."

Prison will do that to you.

Balistreri is a former court commissioner, former courtroom favorite of several state judges, former attorney, former son of Frank P. Balistreri, who reportedly headed the local fraternal organization known as the Mafia, and presided at clubhouse meetings.

Joseph's relationship to his father is unknown, but several years ago, when both Balistreris were in prison, Joseph tried to get out by climbing over the carcass of his father.

Joseph sent a brilliantly written, devastatingly eloquent argument to the court that left nothing of his father but gnawed, charred bones.

"Whether it does my light any good, I now blow out his candle," Joseph wrote.

But this time Joseph couldn't blame his problems on

his father. Accused of discrimination against blacks at his Shorecrest Hotel

Apartments, Joseph handled his own case. And lost.

Unable to try a case since the middle '80s because of his felony conviction, his first statement in his closing argument to the jury was that

(Indicate page, name of newspaper, city and state.)

THE MILWAUKEE SENTINEL
MILWAUKEE WISCONSIN

Date: 02/07/91
Edition: FINAL

Title: JOSEPH P. BALISTRERI

Character: RICO
or 177B-MW-24274
Classification: 183-MW-24700
Submitting Office:

MILWAUKEE DIVISION

Indexing:

177-B-MW-24274-441

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 11 1991	
FBI-MILWAUKEE	

[Signature]

he was terrified. But he didn't seem to be. He didn't stumble, didn't grope, argued expertly, and spoke quickly and in proper English sentences, which he has never had trouble designing and building.

Unlike other attorneys in the case, Ballistreri didn't construct 40-foot graphics. It seems these days that you can't put out a newspaper or try a court case, without graphics.

If some attorneys could, they would use sky-writers, jugglers and a herd of Percherons to make points in their closing statements. But Ballistreri's notes came from inside his head, with no musical accompaniment.

The case was serious, apparently not the kind where he could quote Shakespeare, an aria from an Italian opera, and a legal point, all in one sentence. But his performance outside court was the same as always.

Years ago, in his office, he had chalked a Ballistreri tenet of life: "In the halls of justice, the only justice is in the halls." Just before his closing argument this week, he spoke in the hall about his trial performance, kidding himself.

"Anyone can hit the fastball, it's the curveball that gets you," he said.

He asked if we had heard that



Ballistreri: Felt "rusty as hell"

Nunzio Ferraro had died. Ferraro, in his early 70s, was a full-fledged character, a boxer and bodyguard about town who sometimes flailed his stories. He loved and respected Ballistreri.

"Two things I never saw Nunzio do," Ballistreri said. "I never saw him knocked down and I never saw him pick up a tab."

Known as Shirley Temple in the '30s and '40s because his face was as untouched as hers, Ferraro fought 220 fights without his head touching canvas. When we asked to interview him eight years ago, Ferraro asked Ballistreri before he agreed to it.

Unlike Ferraro's performances, Ballistreri keeps getting knocked down. He and his brother, John, have been looking over their shoulders at governmental policing representatives for so long. It must have been difficult for them to believe that, by chance, the Metropolitan Fair Housing Council had picked the Shorecrest to test for discrimination.

For 20 years, Joseph Ballistreri has owned the Shorecrest, 1962 N. Prospect Ave., where Snug's Restaurant is located. The FBI secretly tape recorded many conversations there.

When the Ballistreris speak, they must wonder if some future group of jurors will hear what they had for dinner. And other stuff.

This time it was the Metropolitan Fair Housing Council that secretly taped conversations with a Ballistreri employee.

The last time that happened Frank was sentenced to prison, where he remains, serving a 13-year term for extortion and gambling.

The last time that happened Joseph and John lost their law licenses and were sentenced to prison for eight years for extortion.

The last time that happened, the corridors and courtroom were filled with newspaper, radio and television reporters, who body-slammed each other trying to cover every word.

But this time, most of the words went uncovered, a newspaper reporter stopping by once in a while.

Although Milwaukee, and its federal cops, had a Ballistreri complex for 30 years, maybe the public doesn't care about the Ballistreris anymore.

When Joseph Ballistreri — thin and changed, graying like the rest of us, having been around this city for a half century — used a \$400 word to make a point to the jury, his arm raised, his pin-striped, blue suit buttoned, his French cuffs showing, the show went almost unnoticed.

But not the verdict.

(Mount Clipping in Space Below)

Fed role welcome in housing-bias battle

THE BATTLE against racial bias in housing doesn't seem so lonely, now. The federal government has joined the fray, scoring a big victory the other day in Federal Court here. Prospective black tenants ran into a buzz saw of discrimination at The Shorecrest, a luxury apartment building overlooking Lake Michigan, a jury ruled.

For years, the private Metropolitan Milwaukee Fair Housing Council has valiantly battled housing bias almost single-handedly, winning nearly every case it pushed. Still, the small agency's impact has been limited, so widespread is residential discrimination.

Fortunately, the US Justice Department has lately taken to fighting housing bias. The feds brought the suit against Shorecrest owner Joseph P. Balistreri and former manager Angeline Hurdbrink. The fair housing council's role was as investigator and witness. The agency lacked the resources to handle such a big case alone — a

reason that federal involvement is important.

Also instructive is that a witness, a black woman, testified she had not realized she was discriminated against at The Shorecrest; so courteous was her treatment there. Apartment owners no longer put out shingles saying, "Coloreds need not apply." Bias has become so subtle that the best way to check for it is to send out pairs of testers equally matched except for race and then to compare their treatment — an investigative method that the housing council has honed.

HOUSING bias betrays the American promise that every citizen gets a fair and equal shake. Such prejudice fuels the racial divisions that this country must overcome for the sake of its own health. The eradication of unfair discrimination ought to be a top national priority. Federal involvement makes that goal more possible. Also to that end, hefty fines are in order for landlords who break the fair housing laws, so as to serve as a deterrent.

(Indicate page, name of newspaper, city and state.) PAGE - A8

THE MILWAUKEE JOURNAL
MILWAUKEE, WISCONSIN

Date: FEBRUARY 11, 1991
Edition: LATEST

Title: JOSEPH P. BALISTRERI ET AL

Character: DIH

or
Classification: 177B-MW-24274
Submitting Office: MILWAUKEE

Indexing:

177B-MW-24274-45

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 13 1991	
FBI-MILWAUKEE	

Accomplishment Report

(Effective 10/1/90)

(Submit within 30 days from date of accomplishment)

TO: Director, FBI

FROM: SAC, MILWAUKEE

SUBJECT:

U.S. vs JOSEPH P. BALISTRIERI;

CIVIL RIGHTS;

OO: MILWAUKEE

Bureau File Number
177B-MW-24274
Field Office File Number
0004
Squad or RA Number
Agent's Social Security No.

☐ X if a joint operation with:

(Identify of other agency)

☐ X if case involves corruption of a public official (Federal, State or Local)

Date 2/19/91

Investigative Assistance or Technique Used			
Rate each Investigative Assistance or Technique used in connection with the accomplishment being claimed.			
1 = Used, but did not help		3 = Helped, substantially	
2 = Helped, but only minimally		4 = Absolutely essential	
1. Acctg Tech Assistance	Rating	8. Eng. Sect. Tape Exams	Rating
2. Aircraft Assistance		9. Hypnosis Assistance	
3. Computer Assistance		10. Ident Div Assistance	
4. Consensual Monitoring		11. Informant Information	
5. ELSUR FOIA		12. Lab Div Exams	
6. ELSUR Title III		13. Lab Div Field Support	
7. Eng. Sect. Field Support		14. Pen. Registers	
15. Photographic Coverage	Rating	16. Polygraph Assistance	Rating
17. Search Warrants Executed		18. Show Money Usage	
19. Survival Sqd (SOG) Asst		20. SWAT Team Action	
21. Tech Agt. or Tech Equip		22. Telephone Toll Recs	Rating
		23. UCO Group I	
		24. UCO Group II	
		25. UCO Other	
		26. NCACV/VI-CAP	
		27. Visual Invest. Analysis (VIA)	

A. Preliminary Judicial Process (Number of subjects)		Complaints	Informations	Indictments	D. Recoveries, Restitutions, or Potential Economic Loss Prevented (PELP) (Explain valuation in remarks)				
					Property Type Code*	Recoveries	Restitutions	PELP Type Code*	
B. Arrests, Locates, Summonses of Subpoenas Served (No. of Subjects)									
Subject Priority									
FBI Arrests -	A B C	Subpoenas Served							
FBI Locates -		Criminal Summonses							
Local Arrests -		Local Crim. Summonses							
FBI Subj. Resisted									
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)					E. Civil Matters				
Hostages Held By Terrorists: All Other Hostage Situations:					Civil Suits Amount of Suit				
Missing or Kidnaped Children Located:					Settlement of Award				
					Government Defendant				
					Government Plaintiff				
					\$15,000				
					Enter AFA Payment Here				
F. Administrative Sanctions									
Subject 1		Subject Description Code*			Subject 2		Subject Description Code*		
Time Frame					Time Frame				
Years Months					Years Months				
<input type="checkbox"/> Suspension					<input type="checkbox"/> Suspension				
<input type="checkbox"/> Debarment					<input type="checkbox"/> Debarment				
<input type="checkbox"/> Permanent					<input type="checkbox"/> Permanent				
G. Final Judicial Process:									
Judicial District		District State		Conviction or Pretrial Div. Date		Sentence Date		No. of Subjects	
								Acquitted Dismissed	
Subject 1		Subject Description Code*			Subject 2		Subject Description Code*		
Conviction		Combined Sentence			Conviction		Combined Sentence		
Title Section Counts		In-Jail Yrs Mos Suspended Yrs Mos Probation Yrs Mos			Title Section Counts		In-Jail Yrs Mos Suspended Yrs Mos Probation Yrs Mos		
<input type="checkbox"/> Felony					<input type="checkbox"/> Felony				
<input type="checkbox"/> Misdemeanor					<input type="checkbox"/> Misdemeanor				
<input type="checkbox"/> Parole					<input type="checkbox"/> Parole				
<input type="checkbox"/> Probation					<input type="checkbox"/> Probation				
<input type="checkbox"/> Revocation					<input type="checkbox"/> Revocation				
<input type="checkbox"/> Plea					<input type="checkbox"/> Plea				
<input type="checkbox"/> Trial					<input type="checkbox"/> Trial				
<input type="checkbox"/> Pretrial Diversion					<input type="checkbox"/> Pretrial Diversion				
Total Fines \$					Total Fines \$				
Add consecutive sentences together					Add consecutive sentences together				
Enter longest single concurrent sentence					Enter longest single concurrent sentence				
Do not add concurrent sentences together.					Do not add concurrent sentences together.				
Sentence 10 yrs + 8 yrs susp = 2 yrs In-Jail.					Sentence 10 yrs + 8 yrs susp = 2 yrs In-Jail.				

Attach additional forms if reporting final judicial process on more than two subjects, and submit a final disposition form (R-84) for each subject.

Remarks: (For every subject reported in Sections A, B, E, F, or G above, provide name, DOB, race*, sex, and if available POB and SSAN)

Civil suit number 90-C-27, filed in the EDW on 1/8/90, was initiated because of allegations of violations under the Fair Housing Act, T42, USC, §3601-3619, Defendant JOSEPH P. BALISTRIERI is the owner of record of the SHORECREST HOTEL, Milwaukee, WI, where the violations took place. BALISTRIERI is the son of the Milwaukee LCN boss FRANK P. BALISTRIERI and is himself carried by the Milwaukee Division as an LCN member. On 2/5/91, after trial and deliberation in this matter, a jury in the EDW found for the government and an aggregate fine of \$15,000 was imposed upon BALISTRIERI. Milwaukee is claiming the statistic for this fine inasmuch as numerous interviews were conducted in this case by FBI agents. In addition, the Engineering Section of the FBI was used extensively to enhance several tape recordings consensually monitored by "testers" from the Metropolitan Milwaukee Fair Housing Agency. Interview reports and tapes were an essential part of the government's case during the trial.

2 - Bureau

2 - Field Office

(1) - 177B-MW-24274 (1 - 66-682 SUB F) FWT:bjh/f(4)

* See codes on reverse side

b6

b7c

SEARCHED INDEXED
SERIALIZED FILED
177B-MW-24274-46

Potential Economic Loss Prevented (PELP) Type Codes*

Code	No	Description
------	----	-------------

- 22 Counterfeit Stocks, Bonds, Currency or Negotiable Instruments
23 Counterfeit or Pirated Sound Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe Demand Aborted
26 Theft from, or Fraud Against, Government Scheme Aborted
27 Commercial or Industrial Theft Scheme Aborted
30 All Other Potential Economic Loss Prevented (not falling in any
category above)

Subject Description Codes*

- Enter Description Code Only When Reporting a Conviction -

Union Members:

- | | | |
|---|--|----------------------------|
| 1A Boss, Underboss or Consigliere | 5A International or National Officer | |
| 1B Capodecina or Soldier | 5B Local Officer | |
| 1C Possible LCN Member or Associate | 5C Union Employee | |
| 1D OC Subject Other Than LCN | Government Officials Or Employees: | |
| 1E Not a Member or Associate of LCN Family or OC Organization | Federal | State |
| Known Criminals (Other Than OC Members): | | Local |
| 2A Top Ten or I.O. Fugitive | 6A Presidential Appointee | 6J Governor |
| 2B Top Thief | 6B U.S. Senator | 6K Lt. Governor |
| 2C Top Con Man | 6C U.S. Representative | 6L Legislator |
| Foreign Nationals: | 6D Judge | 6M Judge |
| 3A Legal Alien | 6E Prosecutor | 6N Prosecutor |
| 3B Illegal Alien | 6F Law Enforcement Officer | 6P Law Enforcement Officer |
| 3C Foreign Official Without Diplomatic Immunity | 6G Fed Empl - GS 13 & above | 6Q All Others - State |
| 3D U.N. Employee Without Diplomatic Immunity | 6H Fed Empl - GS 12 & below | 6R Mayor |
| 3E Foreign Students | Bank Officers or Employees: | 6S Legislator |
| 3F All Others | 7A Bank Officer | 6T Judge |
| Terrorists: | 7B Bank Employee | 6U Prosecutor |
| 4A Known Member of a Terrorist Organization | All Others: | 6V Law Enforcement Officer |
| 4B Possible Terrorist Member or Sympathizer | 8A All Other Subjects (not fitting above categories) | 6W All Others - Local |
| | 8B Company / Corporation | |

*If a subject can be classified in more than one of the categories, select the most appropriate in the circumstance.

Instructions

Subject Priorities for FBI Arrest or Locates:

- A - Subject wanted for crimes of violence (i.e. murder, manslaughter, forcible rape, robbery and aggravated assault) or convicted of such crimes in the past five years.
- B - Subjects wanted for crimes involving the loss or destruction of property valued in excess of \$25,000 or convicted of such crimes in the past five years.
- C - All others

Claiming Non-Federal Arrests, Summonses, Recoveries or Convictions:

It is permissible to claim a local arrest, summons, recovery or conviction if the FBI significantly contributed to the accomplishment. A succinct narrative setting forth the basis for the claim must accompany this report. When claiming a local recovery, enter the word "LOCAL" to the right of the amount. Enter "LF" in the "In-Jail" block for all life sentences and "CP" for capital punishment sentences.

Reporting Convictions:

Convictions should not be reported until the sentence has been issued. There are two exceptions to this rule. The conviction information can be submitted by itself if:

1. The subject becomes a fugitive after conviction but prior to sentencing.
 2. The subject dies after conviction but prior to sentencing.
- An explanation is required in the Remarks section for either of the above exceptions.

Rule 20 Situations:

The field office that obtained the process (normally the office of origin) is the office that should claim the conviction, not the office where the subject enters the plea in cases involving Rule 20 of the Federal Rules of Criminal Procedures.

Investigative Assistance or Techniques (IATs) Used:

- The IAT used must be rated each time an accomplishment is claimed. (For example - if informant information was the basis for a complaint, an arrest, a recovery and a conviction and if separate FD-515s are submitted for each of the aforementioned accomplishments, the "Informant Information" block must be rated on each FD-515 even if it was the same information that contributed to all the accomplishments.)

Race Codes:

C = Chinese; I = Indian/American; J = Japanese; B = Black; O = All other; U = Unknown; W = White

Supplemental Page to the Accomplishment Report (FD-515) for Organized Crime Program (OCP) Matters Only

This supplemental page is required with the FD-515 reporting an indictment and/or conviction of a subject of an OCP case. A separate page is required for each subject indicted and/or convicted. The completion of Section A - D is mandatory. The other sections should be completed when applicable.

A. Name of Subject JOSEPH P. BALISTRERI

B. Field Office MW Field Office File No. 177B-MW-24274

C. Criminal Activity - Indicate the primary criminal activity which resulted in the reported indictment and/or conviction. (Indicate only one activity.)

- ☐ Labor Racketeering (LRK) (See Section E and G if applicable)
 ☐ Extortion (EXT)
 ☐ Corruption (COR) (See Section F if applicable)
 ☐ Loansharking (LNS)
 ☐ Illegal Gambling (IGM)
 ☐ Drugs (DRS)
 ☒ Other (OT), specify Civil Rights (see attached)

D. Organized Criminal Group

1. LCN: ☒ Member (MEM) ☐ Associate (ASO)

- | | | | | |
|-----------------------------|---|---|--|---|
| <input type="checkbox"/> BU | <input type="checkbox"/> KC | <input type="checkbox"/> NO | <input type="checkbox"/> NY-Luchese (LU) | <input type="checkbox"/> RC - Rochester |
| <input type="checkbox"/> CG | <input type="checkbox"/> LA | <input type="checkbox"/> NY - Bonanno (BO) | <input type="checkbox"/> PH | <input type="checkbox"/> SF |
| <input type="checkbox"/> CV | <input checked="" type="checkbox"/> MI | <input type="checkbox"/> NY - Colombo (CO) | <input type="checkbox"/> PX | <input type="checkbox"/> SO - San Jose |
| <input type="checkbox"/> DN | <input type="checkbox"/> NK - De Cavalcante | <input type="checkbox"/> NY - Gambino (GA) | <input type="checkbox"/> PG | <input type="checkbox"/> SL |
| <input type="checkbox"/> DE | <input type="checkbox"/> NE - New England - Patriarca | <input type="checkbox"/> NY - Genovese (GE) | <input type="checkbox"/> PI - Pittson - Bufalino | <input type="checkbox"/> TP |

Position: Unknown

- ☐ Boss
 ☐ Consigliere (CNS)
 ☐ Capo (CPO)
 ☐ Underboss (UBS)
 ☐ Acting Boss (ABS)
 ☐ Soldier (SOL)

2. Other Non-LCN OC Groups, specify _____ ☐ Member (MEM) ☐ Associate (ASO)

E. Business Influenced/Affected (if applicable) Indicate below if the subject's criminal activity influenced or affected a particular trade or industry:

- ☐ Toxic Waste (TW)
 ☐ Building Trades (BT)
 ☐ Entertainment (ET)
 ☒ Hotel/Restaurant (HR)
 ☐ Carting (CR)
 ☐ Meat/Poultry/Fish (MT)
 ☐ Garment (GR)
 ☐ Vending (VN)
 ☐ Shipping (SH)
 ☐ Trucking/Trans (TT)
 ☐ Other (OT) Specify _____

Name of company subject connected with Shorecrest Hotel

F. Elected/Appointed Public Officials - Complete if subject was a public official at time of indictment and/or conviction. Indicate one from each category.

Level - ☐ Federal (FD) ☐ State (ST) ☐ Local (LO)
Branch - ☐ Executive (EX) ☐ Legislative (LE) ☐ Judicial (JD)

Position/Title:

- ☐ Governor (GV)
 ☐ Mayor (MY)
 ☐ City
 ☐ House of Rep/ Staff (HR)
 ☐ Prosecutor (PR)
 ☐ Lt. Governor (LG)
 ☐ County Comm (CC)
 ☐ Senator/Staff (SE)
 ☐ Judge/Magistrate (JM)
 ☐ Law Enforcement Officer (LE)

☐ Other (OT), specify _____

G. Union Members or Officials - If the subject was a Union member or official at the time of indictment and/or conviction, indicate the highest position the subject held/holds in the Union and the Union's name.

Name of Union _____

Union Affiliation:

- ☐ Teamsters
 ☐ Hotel and Restaurant Employee
 ☐ Laborers International
 ☐ Longshoremen's Association
 ☐ Other, specify _____

Level - ☐ International ☐ Conference ☐ Council ☐ Local - Local No. _____

Position:

- ☐ Pres (PR)
 ☐ Sec/Treas (ST)
 ☐ Repr (RP)
 ☐ Fin Sec (FS)
 ☐ Clerk (CL)
 ☐ Trustee (TT)
 ☐ Vice Pres (VP)
 ☐ Ex Brd Memb (EB)
 ☐ Orgzr (OR)
 ☐ Rec Sec (RS)
 ☐ Shop Stew (SS)
 ☐ Tres (TR)
 ☐ Bus Agt (BA)
 ☐ Bus Mgr (BM)
 ☐ Off Mgr (OM)
 ☐ Memb (ME)
 ☐ Other (OT), specify _____

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/12/91

1 TO : DIRECTOR, FBI
 2 FROM : SAC, MILWAUKEE (177B-MW-24274) (C)
 3 SUBJECT : U.S. VS. JOSEPH P. BALISTRERI AND

4 [redacted]
 5 CR;
 6 OO: MILWAUKEE

7 Re Milwaukee telcall of SA [redacted] to
 8 Civil Rights Case Analyst [redacted] 3/11/91.

b6
 b7c

9 As discussed in retelcall, no further investigation
 10 is necessary at Milwaukee Division, and this matter will be
 11 closed until such time as U.S. Department of Justice has
 12 further developments in assessing additional damages against
 13 subject BALISTRERI, at which time case will be reopened in
 14 order to report results of remaining litigation.

15
 16
 17 - Bureau
 18 - Milwaukee (177B-MW-24274)
 19 FWT:cal
 20 (4)
 21 cal

SEARCHED INDEXED
 SERIALIZED FILED

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

177B-MW-24274-47

(Mount Clipping in Space Below)

DISCRIMINATION
Joseph Balistreri
is fined \$2,500

A federal judge Friday fined Joseph P. Balistreri \$2,500 and ordered him to adopt and enforce written rental procedures to stop racial discrimination at his Shorecrest Hotel Apartments.

The fine, imposed by Judge Thomas J. Curran, is significantly less than the \$50,000 in civil penalties sought by the government in its racial discrimination case against Balistreri.

Curran also ordered Angeline A. Hurdelbrink, 56, the former manager of the Shorecrest, to pay a \$100 fine.

In February, a federal jury found Balistreri and Hurdelbrink practiced racial discrimination in renting apartments at the Shorecrest. The jury ordered Balistreri and Hurdelbrink to pay \$15,000 to the Metropolitan Fair Housing Council and five black testers who were sent to the Shorecrest in 1989.

(Indicate page, name of newspaper, city and state.)

MILWAUKEE SENTINEL
MILWAUKEE, WISCONSIN

Date: 4/13/91

Edition: FINAL

Title: Joseph Balistreri

Character: DIH

or

Classification: 177B-MW-24274

Submitting Office: Milwaukee

Indexing:

177B-MW-24274-48

SEARCHED	INDEXED
SERIALIZED	FILED
APR 18 1991	
FBI - MILWAUKEE	

APR 17 1991

Honorable John R. Dunne
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington, D.C.

Dear Mr. Dunne:

It was thoughtful of you to write on March 29th to commend Special Agents [redacted] of our Milwaukee Office and Supervisory Special Agent [redacted] and Engineering Technician [redacted] of FBI Headquarters for the assistance they provided your attorneys in the discrimination case involving the Shorecrest Hotel Apartments in Milwaukee. It will be a pleasure for me to see that your letter is passed along to these gentlemen. I know they will share my appreciation for your kind remarks and will join me in thanking you for your personal recognition of their efforts. (P) dm

Sincerely yours,

William S. Sessions
William S. Sessions
Director

(1) - Milwaukee - Enclosure
Personal Attention SAC: Bring to the attention of
SAs [redacted]

b6
b7C

Copy made
for each
PF
SA
SA

177B-MW-24274-49

SEARCHED	INDEXED
SERIALIZED	FILED
APR 20 1991	
FBI - MILWAUKEE	

JMD



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

MAR 29 1991

The Honorable William S. Sessions
Director, Federal Bureau of Investigation
FBI Building, Room 7176
9th Pennsylvania Ave., N.W.
Washington, D.C. 20535

Re: United States v. Balistrieri et al.
CA 90-C-27 (E.D. Wis. filed Jan. 8, 1990)

Dear Bill:

I write to commend your staff for the assistance and cooperation that they gave our attorneys who tried the above-captioned case, which involved discrimination against black persons in the rental of apartments at the Shorecrest Hotel Apartments in Milwaukee, Wisconsin.

During the case, several matters arose which required prompt and careful attention by FBI employees. For example, we requested assistance in obtaining enhanced copies of tape recordings in a short period of time, and requested that agents conduct a number of sensitive interviews with several persons regarding specific events. In all instances, the Bureau responded quickly and effectively, and the Bureau's assistance made it possible for us to win the case.


In particular, we commend S.A. [redacted] of the Milwaukee Division for his continued, sophisticated work on this case. In addition, S.A. [redacted] also in the Milwaukee Division, provided valuable assistance by supplying the equipment and preparing the courtroom to play the tapes for the jury. We would also like to thank signal processing analyst [redacted] for his critical and timely work preparing the enhanced copies of the

b6
b7C

tape recordings. [redacted] at headquarters was most helpful b6
facilitating our requests. b7C

The FBI played an important role in this litigation, and we believe that we would not have been successful but for its help.

Sincerely,


John R. Dunne
Assistant Attorney General
Civil Rights Division

FD-515 (Rev. 9-28-90)
Accomplishment Report

(Effective 10/1/90)

(Submit within 30 days from date of accomplishment)

TO: Director, FBI

FROM: SAC, MILWAUKEE (P)

SUBJECT:

U.S. vs. JOSEPH P. BALISTRIERI;

CIVIL RIGHTS:

OO: MILWAUKEE

Bureau File Number
177B-MW-24274
Field Office File Number
0004
Squad or RA Number
Agent's Social Security No.

☐ X if a joint operation with.

(Identify other agency)

☐ X if case involves corruption of a public official (Federal, State or Local)

Date 5/3/91

Investigative Assistance or Technique Used							
Rate each Investigative Assistance or Technique used in connection with the accomplishment being claimed:							
1 = Used, but did not help				3 = Helped, substantially			
2 = Helped, but only minimally				4 = Absolutely essential			
1 Acctg Tech Assistance	Rating	8 Eng Sect Tape Exams	Rating	15 Photographic Coverage	Rating	22 Telephone Toll Recs	Rating
2 Aircraft Assistance		9 Hypnosis Assistance		16 Polygraph Assistance		23 UCO Group I	
3 Computer Assistance		10 Ident Div Assistance		17 Search Warrants Executed		24 UCO Group II	
4 Consensual Monitoring		11 Informant Information		18 Show Money Usage		25 UCO Other	
5 ELSUR FOSA		12 Lab Div Exams		19 Surveil Sod (SOG) Asst		26 NCACV/VI CAP	
6 ELSUR Title III		13 Lab Div Field Support		20 SWAT Team Action		27 Visual Invest Analysis (VIA)	
7 Eng Sect Field Support		14 Pen Registers		21 Tech Agt or Tech Equip			

A. Preliminary Judicial Process (Number of subjects)		Complaints	Informations	Indictments	D. Recoveries, Restitutions, or Potential Economic Loss Prevented (PELP)				(Explain valuation in remarks)	
					Property Type Code*	Recoveries	Restitutions	PELP Type Code*	Potential Economic Loss Prevented	
B. Arrests, Locates, Summonses of Subpoenas Served (No. of Subjects)						\$	\$		\$	
Subject Priority*						\$	\$		\$	
FBI Arrests						\$	\$		\$	
FBI Locates						\$	\$		\$	
Local Arrests						\$	\$		\$	
FBI Subj Resisted						\$	\$		\$	
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)					E. Civil Matters					
Hostages Held By Terrorists					RICO - Civil Convictions					
Missing or Kidnaped Children Located					Civil Suits Amount of Suit					
					Settlement of Award					
					Government Defendant					
					Government Plaintiff					
					\$ 2,500.00					
					Enter AFA Payment Here					
F. Administrative Sanctions										
Subject 1		Subject Description Code*			Subject 2		Subject Description Code*			
<input type="checkbox"/> Suspension		Time Frame			<input type="checkbox"/> Suspension		Time Frame			
		Years Months					Years Months			
<input type="checkbox"/> Debarment		<input type="checkbox"/> Permanent			<input type="checkbox"/> Debarment		<input type="checkbox"/> Permanent			
G. Final Judicial Process:										
Judicial District		District State		Conviction or Pretrial Div Date		Sentence Date		No of Subjects		
								Acquitted Dismissed		
Subject 1					Subject 2					
Subject Description Code*					Subject Description Code*					
<input type="checkbox"/> Felony					<input type="checkbox"/> Felony					
<input type="checkbox"/> Misdemeanor					<input type="checkbox"/> Misdemeanor					
<input type="checkbox"/> Parole					<input type="checkbox"/> Parole					
<input type="checkbox"/> Revocation					<input type="checkbox"/> Revocation					
<input type="checkbox"/> Probation					<input type="checkbox"/> Probation					
<input type="checkbox"/> Revocation					<input type="checkbox"/> Revocation					
<input type="checkbox"/> Plea					<input type="checkbox"/> Plea					
<input type="checkbox"/> Trial					<input type="checkbox"/> Trial					
<input type="checkbox"/> Pretrial Diversion					<input type="checkbox"/> Pretrial Diversion					
Conviction					Conviction					
Combined Sentence					Combined Sentence					
Title Section Counts					Title Section Counts					
In-Jail Yrs Mos					In-Jail Yrs Mos					
Suspended Yrs Mos					Suspended Yrs Mos					
Probation Yrs Mos					Probation Yrs Mos					
Total Fines \$					Total Fines \$					
Add consecutive sentences together					Add consecutive sentences together					
Enter longest single concurrent sentence					Enter longest single concurrent sentence					
Do not add concurrent sentences together					Do not add concurrent sentences together					
Sentence 10 yrs - 8 yrs susp = 2 yrs In-Jail					Sentence 10 yrs - 8 yrs susp = 2 yrs In-Jail					

Attach additional forms if reporting final judicial process on more than two subjects, and submit a final disposition form (R-84) for each subject

Remarks: (For every subject reported in Sections A, B, E, F, or G above, provide name, DOB, race*, sex, and if available POB and SSAN

Civil Suit #90-C-27 hearing on 4/12/91 to assess civil penalties and/or civil injunctions, resulted in \$2,500 fine of JOSEPH P. BALISTRIERI and \$100 fine of [REDACTED] BALISTRIERI was also ordered to adopt and enforce written rental procedures to stop racial discrimination at the Shorecrest Hotel. Milwaukee division reported initial fine of \$15,000 by FD-515, dated 2/19/91. This FD-515 supplements that report.

SEARCHED INDEXED
SERIALIZED FILED

177B-MW-24274-50 9

Memorandum



To : SA [redacted]

(177B-MW-24274)

Date 9-24-91

b6
b7c

From : EVIDENCE CONTROL ROOM

Subject: CLOSED CASES WITH PENDING EVIDENCE

Evidence Control records in FOIMS indicate that the above case is now closed.

The attached computer printout shows evidence that was obtained for/by you in conjunction with your investigation.

It is imperative that you review the case and make a determination as to the disposition of the evidence involved.

Please indicate below as to the disposition instructions for the attached computer printouts, and return to the Evidence Room for further processing NO LATER THAN 10-2-91.

RETAIN DM

REASON Will disposition of case

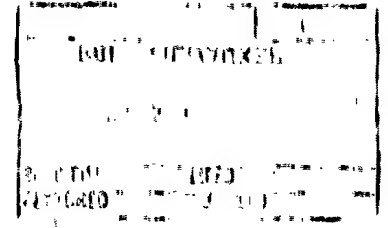
DESTROY _____

RETURN _____

Evidence for

177B-MW-24274-51

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 25 1991	
FBI-MILWAUKEE	



b6
b7c

FIELD OFFICE: MILWAUKEE

CASE SOALD: 4 CASE AGENT: [REDACTED]

CASE NUMBER: MW-002427 (177B)

RECEIVED FROM: FBI LAB

CLOSED: MARCH 19, 1991

RECEIVED BY: [REDACTED] W

DATE RECEIVED: 08081990

b6
b7c

ITEM DESCRIPTION

TYPE

LOCATION

BARCODE

ANT DISP DATE

1B003; EIGHT (8) CASSETTE TAPES - ENHANCED VERSIONS LABEL Q1-Q8

G ECR1/U22

E0091303

Memorandum



To : SA [redacted] 177B-MW-24274)

Date NOV. 27, 1991

b6
b7C

From : EVIDENCE CONTROL ROOM

Subject: CLOSED CASES WITH PENDING EVIDENCE

Evidence Control records in FOIMS indicate that the above case is now closed.

The attached computer printout shows evidence that was obtained for/by you in conjunction with your investigation.

It is imperative that you review the case and make a determination as to the disposition of the evidence involved.

Please indicate, with your initials, as to the disposition instructions for the attached computer printouts, and return to the Evidence Room for further processing NO LATER THAN 12-16-91.

CR

RETAIN *am*

REASON

Evidence

b6
b7C

DESTROY

RETURN

177B-MW-24274-52

SEARCHED	INDEXED
SERIALIZED <i>B</i>	FILED <i>B</i>
DEC 02 1991	
FBI - MILWAUKEE	
<i>Evidence</i>	

[redacted]

CLOSED CASE WITH PENDING EVIDENCE

PAGE 101
ECSP2R06 11/18/91

FIELD OFFICE: MILWAUKEE

CASE SQUAD: 4 CASE AGENT:

CASE NUMBER: MW-0024274 (1778)

RECEIVED FROM: FBI LAB

CLOSED: MARCH 19, 1991

RECEIVED BY: W

DATE RECEIVED: 08081990

b6
b7c

ITEM DESCRIPTION	TYPE	LOCATION	BARCODE	ANT DISP DATE
18003; EIGHT (8) CASSETTE TAPES - ENHANCED VERSIONS LABELD 01-08	G	ECR1/U22	E0091303	

Memorandum



To : SA [redacted]

(177B-MW-24274)

Date 3/11/92

b6
b7C

From : EVIDENCE CONTROL ROOM

Subject: CLOSED CASES WITH PENDING EVIDENCE

Evidence Control records in FOIMS indicate that the above case is now closed.

The attached computer printout shows evidence that was obtained for/by you in conjunction with your investigation.

It is imperative that you review the case and make a determination as to the disposition of the evidence involved.

Please indicate below as to the disposition instructions for the attached computer printouts, and return to the Evidence Room for further processing NO LATER THAN 3/30/92.

[Handwritten initials]

RETAIN *jm*

REASON

Evidence Appeal procedure

DESTROY _____

RETURN _____

Evidence *jm*

177B-MW-24274-53

SEARCHED	INDEXED
SERIALIZED <u>B</u>	FILED <u>B</u>
MAR 30 1992	
FBI - MILWAU...	

FIELD OFFICE: MILWAUKEE
CASE SQUAD: 4 CASE AGENT:

CASE NUMBER: MH-0024274 (1778)
RECEIVED FROM: FBI LAB

b6
b7C
CLOSED: MARCH 19, 1991
RECEIVED BY:

DATE RECEIVED: 08081990

ITEM DESCRIPTION	TYPE	LOCATION	BARCODE	ANT DISP DATE
1B003; EIGHT (8) CASSETTE TAPES - ENHANCED VERSIONS LABELD 01-08	G	ECR1/U23	E0091303	

U.S. GOVERNMENT PRINTING OFFICE: 1984-202-057/8302

CONFIDENTIAL - INTELLIGENCE INFORMATION - DO NOT DISSEMINATE

ACTION COMMUNICATION

Date: 5-14-92

b6
b7C

TO: MILWAUKEE
ATTN: SA

(PRIORITY)

FROM: MILWAUKEE
EVIDENCE CONTROL ROOM

POINT OF CONTACT:

TITLE: DISPOSITION OF EVIDENCE

REQUEST(S): That you, as the last recognized case agent, research the files and provide the Evidence Control Room (ECR) with disposition instructions no later than May 25, 1992.

DETAILS: The attached computer printout shows there is evidentiary material being maintained in the ECR on closed cases.

When a case has been closed, disposition of all evidentiary material is to be resolved at that time or when all appeals have been exhausted.

If the file has been marked for "NATIONAL ARCHIVES - DO NOT DESTROY" the material may be returned to the contributor. If the material has been marked for "FOIPA" followed by a year, the items may be returned to the contributor. All Bureau generated material must be maintained in the ECR; i.e., agent work papers, Bureau charts, sketches.

If another Bureau office is OO, then those items should be released to that office.

Every attempt should be made by you, the case agent, to resolve the matter of items being stored in the ECR that no longer have any evidentiary material.

■

*Retain until
appeals exhausted
(not)
evidence for*

Jim

① - File Copy
1 - Work Copy
FM:11 (2)

UCFN: 177B-MW-24274-54

CLOSED CASE WITH PENDING EVIDENCE

PAGE 65
ECSP2R06 04/30/92

FIELD OFFICE: MILWAUKEE

CASE SQUAD: 4 CASE AGENT:

b6
b7c

CASE NUMBER: MW-0024274 (1778)

CLOSED: MARCH 19, 1991

RECEIVED FROM: FBI LAB

RECEIVED BY:

DATE RECEIVED: 08081990

ITEM DESCRIPTION

TYPE

LOCATION

BARCODE ANT DISP DATE

1B0031 EIGHT (8) CASSETTE TAPES - ENHANCED VERSIONS LABELD 01-08

G ECR1/U23

E0091303

ACTION COMMUNICATION

Date: JUL 01 1992

TO: MILWAUKEE
ATTN: SA [REDACTED]

(PRIORITY)

b6
b7C

FROM: MILWAUKEE (C)
EVIDENCE CONTROL ROOM

POINT OF CONTACT: ECT [REDACTED]

TITLE: DISPOSITION OF EVIDENCE

REQUEST(S): That you, as the last recognized Case Agent, research the files and provide the Evidence Control Room (ECR) with disposition instructions no later than JUL 20 1992.

DETAILS: The attached computer printout shows there is evidentiary material being maintained in the ECR on closed cases.

When a case has been closed, disposition of all evidentiary material is to be resolved at that time or when all appeals have been exhausted.

If the file has been marked for "NATIONAL ARCHIVES - DO NOT DESTROY" the material may be returned to the contributor. If the material has been marked for "FOIPA" followed by date/year, the items may be returned to the contributor. All Bureau generated material must be maintained in the ECR or in the 1-A section (if practical); i.e. agent work papers, Bureau charts, sketches....

If another Bureau office is OO, then those items should be released to that office.

Due to recurring problems with our disposal of large quantities of documentary evidence, it is requested that, if possible, return the documents to the contributor.

Every attempt should be made by you, the Case Agent, to resolve this matter of items being stored in the ECR that no longer have any evidentiary value, before they become a problem.

*Retain - dm
7/10/92*



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b7C

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JUL 14 1992	
FBI - MILWAUKEE	

1 - File Copy
1 - Work Copy
fm: (2)

UCFN: 177-MW-24274-55

CLOSED CASE WITH PENDING E

FIELD OFFICE: MILWAUKEE

CASE SQUAD: 4

CASE AGENT:

b6
b7C

CASE NUMBER: MW-0024274 (177B)

RECEIVED FROM: FBI LAB

CLOS
RECE

ITEM DESCRIPTION

TYPE

1B003; EIGHT (8) CASSETTE TAPES - ENHANCED VERSIONS LABELED G1-G8

G

Petari
and 7/6/92

VIDENCE

PAGE 70
E00P2R06 07/01/92

ED: MARCH 19, 1991

IVED BY:

DATE RECEIVED: 08081990

b6
b7C

LOCATION

BARCODE

ANT DISP DATE

ECR1/U23

E0091303.

Memorandum



b6
b7C

Rotor

To : SA [redacted]

Date OCT 30 1992

From : EVIDENCE CONTROL ROOM

Subject: DISPOSITION OF EVIDENCE

The attached computer printout shows that there is evidentiary material being maintained in the Evidence Control Room (ECR) on closed cases.

When a case has been closed, disposition of all evidentiary material is to be resolved at that time or when all appeals have been exhausted.

It is requested that you, as the last recognized case agent, research the files and provide the ECR with disposition instructions no later than **NOV 16 1992**

If the file has been marked for "NATIONAL ARCHIVES-DO NOT DESTROY" the material may be returned to the contributor or placed into a 1A envelope. If the material has been marked for "FOIPA _____" followed by a year the items may be returned to the contributor, or placed into a 1A envelope. All Bureau generated material, which is kept for the above mentioned files, i.e. agent work papers, Bureau charts, sketches..., must be maintained in the ECR.

If another Bureau office is OO, then those items should be released to that office.

Every attempt should be made by you, the case agent, to resolve the matter of items being stored in the ECR that no longer have any evidentiary material.

DISPOSITION
INSTRUCTIONS

Retain - per instructions from DOJ

Atty

11/10/92

evidence for

b6
b7C

1 - Agent
1 - Case file



177-MW-24274-56

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 30 1992	
FBI - MILWAUKEE	
IK	

CLOSED CASES WITH PENDING EVIDENCE

PAGE 87

ECSP2R06 10/30/92

FIELD OFFICE: MILWAUKEE

CASE SQUAD: 4 CASE AGENT:

CASE NUMBER: MW-0024274 (177B)

CLOSED: March 19, 1991

RECEIVED FROM: FBI LAB

RECEIVED BY:

DATE RECEIVED: 08081990

b6
b7C

ITEM DESCRIPTION

TYPE

LOCATION

BARCODE

ANT DISP DATE

18003; EIGHT (8) CASSETTE TAPES - ENHANCED VERSIONS LABELD Q1-Q8 G ECR1/U25

E0091303

(Mount Clipping in Space Below)

Shorecrest bias ruling is upheld

Joseph Balistrieri, ex-manager fined

By DEBBY L. DAVIS

Sentinel staff writer

A Federal Appeals Court Tuesday upheld a ruling that Joseph P. Balistrieri engaged in discriminatory rental practices at The Shorecrest hotel.

In February 1991, a jury in Federal Judge Thomas J. Curran's courtroom ordered Balistrieri, 50, the owner of The Shorecrest, and Angeline A. Hurdelbrink, 57, the former rental manager at the hotel, to pay \$15,000 to the Metropolitan Milwaukee Fair Housing Council and five black "testers" who sought rental information at The Shorecrest, 1962 N. Prospect Ave.

The jury awarded \$2,000 to each of the testers and \$5,000 to the housing council.

In its ruling, the Appeals Court vacated other civil penalties awarded in the case.

Balistrieri is a son of Frank P. Balistrieri, who has been identified in federal documents as the reputed leader of organized crime in Milwaukee.

Joseph Balistrieri contended in his appeal that even if the evidence were sufficient to show Hurdelbrink discriminated, there was no evidence to link her discrimination to him.

The 7th U.S. Circuit Court of Appeals, however, said court records showed Balistrieri knew about Hurdelbrink's actions.

The U.S. Justice Department said Balistrieri violated the Fair Housing Act by refusing to rent units to blacks. The Fair Housing Act prohibits discrimination in the housing industry on the basis of race.

(Indicate page, name of newspaper, city and state.) PAGE - 7A

THE MILWAUKEE JOURNAL
MILWAUKEE, WISCONSIN

Date: NOVEMBER 25, 1992

Edition: LATEST

Title: JOSEPH P. BALISTRIERI

Character: DIH

or
Classification: 177B-MW-24274

Submitting Office: MILWAUKEE

Indexing:

177B-MW-24274-58

1992

INFORMATION COMMUNICATION

Date: 11/12/92

TO: MILWAUKEE DIVISION
SQUAD FOUR

FROM: MILWAUKEE DIVISION (P)
SQUAD FOUR

POINT OF CONTACT: SA [REDACTED]

TITLE: UNITED STATES VS. JOSEPH P. BALISTRIERI
AND [REDACTED]
CIVIL RIGHTS;
OO: MILWAUKEE

PURPOSE(S): To record results of contact with Department of Justice Attorney [REDACTED] regarding captioned case.

b6
b7C

DETAILS: On 11/10/92, Department of Justice (DOJ) Attorney [REDACTED] was contacted in order to determine the disposition of several enhanced versions of tape recordings presently being retained by the Milwaukee Division in the evidence control room. Attorney [REDACTED] stated that since this case is still in the appeal process and may have to be retried, the tapes being retained by the Milwaukee Division should be kept and not destroyed.

(X)
d

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
NOV 19 1992	
FBI - MILWAUKEE	

1 - File Copy
1 - Work Copy
FWT:bjh (2)

UCFN: 477B-MW-24274 - 57

FBI FACSIMILE
COVERSHEET

CLASSIFICATION

PRECEDENCE

- ☐ Immediate
☐ Priority
☒ Routine

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☐ Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: 3To: MILWAUKEE Date: 5-13-93
(Name of Office)

Facsimile number: _____

Attn: Civil Rights Unit
(Name Room Telephone No.)From: FBIHQ - Civil Rights Unit
(Name of Office)Subject: U.S. vs. BALISTRERI
AND 177B-MW-24274

m

PG 10A

SA

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 13 1993	
FBI - MILWAUKEE	

R

Special Handling Instructions: _____

Originator's Name: _____ Telephone: _____
177B-MW-24274-58Originator's Facsimile Number: 324-3155

Approved: _____

MAY-13-1993 13:53 FROM CRU

TO

P.03

0-9 (Rev. 8-16-79)

TRANSMIT VIA: AIRTEL

CLASSIFICATION: UNCLAS

DATE: 5/13/93

1 -

b6
b7C

FROM: Director, FBI

TO: SAC, Milwaukee (177B-MW-24274)

UNITED STATES V. JOSEPH P. BALISTRIERI

AND

CIVIL RIGHTS

OO: MILWAUKEE

Enclosed are two copies of a Department of Justice letter dated 5/11/93 requesting investigation in captioned case.

This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 44, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

Remarks: Request was faxed to Milwaukee on 5/13/93.

ENC. (2)
[Signature]

1B948

b6
b7C

Memorandum



JPT:PFH:BK:CGG:bw
DJ 175-85-101

Subject

United States v. Joseph P. Balistrieri
and [redacted]

Date

MAY 11 1993

To William S. Sessions
Director
Federal Bureau of
Investigation

From James P. Turner
Acting Assistant Attorney
General
Civil Rights Division

United States v. Joseph P. Balistrieri and [redacted]
[redacted], No. 90-C-27 (E.D. Wis. filed January 8, 1990), is a
civil suit under the Fair Housing Act, 42 U.S.C. §§3601 - 3619,
against Joseph Balistrieri and [redacted] for
discriminating against black persons in the rental of apartments
at the Shorecrest Hotel. The complaint alleges that the
defendants engaged in a pattern and practice of discrimination by
treating black apartment seekers differently from white apartment
seekers. The case arose from a series of tests in April, May,
and June of 1989, in which paired white and black testers went to
the Shorecrest, posing as apartment seekers. Each pair presented
largely similar credentials and desires. In each case the black
person was treated less well, i.e., each was quoted higher rental
prices and/or later availability dates. [redacted]
was the rental agent at the Shorecrest during the period in
question. Joseph Balistrieri is the owner of the Shorecrest.
[redacted] of the Shorecrest, though he is not
a defendant. The case was tried in January of 1991 and an appeal
followed.

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b7C

The case is set to be re-tried, June 1 through June 9, 1993
in Judge Curran's courtroom. (Judge Curran's earlier order
prohibiting FBI agents from conducting interviews of persons
Balistrieri identified as witnesses is still in effect.)

Eight of the testers were equipped with concealed audio
tape recorders for their visits to the Shorecrest. We will need
to play the tapes for the jury during the trial. Accordingly, we
request that the FBI supply audio tape equipment for the court,
the jurors (seven or eight), the parties and counsel and
technical assistance in Judge Curran's courtroom in the United
States District Court for the Eastern District of Wisconsin. If
you have any questions, please contact [redacted]
[redacted] the attorneys assigned to the case, at [redacted]

2 SAC [signature]
5/13/93.

177B-mw-24274

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 20 1993	
FBI - MILWAUKEE	
R	

60

TRANSMIT VIA: AIRTEL

CLASSIFICATION: UNCLAS

DATE: 5/13/93

FROM: Director, FBI

✓ TO: SAC, Milwaukee (177B-MW-24274)

UNITED STATES V. JOSEPH P. BALISTRIERI

AND

CIVIL RIGHTS

OO: MILWAUKEE

Enclosed are two copies of a Department of Justice letter dated 5/11/93 requesting investigation in captioned case.

This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 44, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

Remarks: Request was faxed to Milwaukee on 5/13/93.

Enc. (2) *al*

SA

177B-MW-24274-61

cal cal

MAY 19 1993

h

INFORMATION COMMUNICATION

Date: 06/09/93
BUDED: 06/10/93

TO: CRIMINAL INVESTIGATIVE DIVISION
CIVIL RIGHTS UNIT

FROM: MILWAUKEE DIVISION (C)
SQUAD FOUR (OC/DI)

POINT OF CONTACT: SSA [REDACTED]

SA [REDACTED]

b6
b7C

TITLE: UNITED STATES VS JOSEPH P. BALISTRIERI AND
[REDACTED]
CIVIL RIGHTS;
OO: MILWAUKEE

References: Bureau airtel to Milwaukee, dated
5/13/93.

PURPOSE(S): To report results of investigation performed as a
result of referenced communication.

DETAILS: Referenced Bureau airtel requested that suitable
technical assistance be provided to Department of Justice
attorneys assigned to this matter during trial conducted in
Milwaukee, Wisconsin.

Technical assistance was provided and no further
assistance was requested from Department of Justice attorneys
therefore, this matter is closed.

Handwritten: m/ close #6

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 10 1993	
FBI - MILWAUKEE	

UCFN: 177B-MW-24274-62

① - File Copy
1 - Work Copy
FWT:bjh (4)

SEARCHED INDEXED
SERIALIZED FILED

(60)

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) PG11, SECT. A
MILWAUKEE SENTINEL
MILWAUKEE, WISCONSIN

Date: 6/10/93
Edition: FINAL

Title: Joseph P. Balistrieri

Character: DIH
or

Classification: 177B-MW-24274
Submitting Office: Milwaukee

Indexing:

177B-MW-24274-63

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 14 1993	

SSA [redacted]

b6
b7C

Jury deciding damages in Shorecrest bias case

By DEBBY L. DAVIS
Sentinel staff writer

A federal jury two years ago decided that Joseph P. Balistrieri had discriminated against blacks who wanted to rent units at his Shorecrest Hotel Apartments.

On Wednesday, an entirely different jury began its deliberations on exactly how much and to whom Balistrieri will have to pay damages.

U.S. Justice Department attorney Barbara Kammerman said Balistrieri should pay at least \$90,000 in punitive damages and his former rental manager, Angeline A. Hurdelbrink, should pay \$10,000.

"Because of the repeated, systematic and deliberate pattern of race discrimination at the Shorecrest, these two defendants deserve to be punished," Kammerman told the jury.

The Justice Department said Balistrieri, owner of the Shorecrest, and Hurdelbrink violated the Fair Housing Act by refusing to rent units to blacks.

The government also said blacks were quoted higher rents than whites and were told certain units were not available for in-

spection or rent when they were available.

Balistrieri is a son of the late Frank P. Balistrieri, who had been identified in court documents as the reputed leader of organized crime in Milwaukee.

Joseph Balistrieri and his brother, John J. Balistrieri, were sentenced in July 1984 to eight years in prison for conspiracy to extort and attempted extortion of a Milwaukee vending machine owners. They were released in early 1989.

Joseph Balistrieri's attorney, Dennis Coffey, expressed concern that his client's past could influence the way he is seen today.

"One of the difficulties I have in this case is I represent a man named Joseph Balistrieri," Coffey told the jury. "I have to be concerned as his lawyer about how you are going to judge Mr. Balistrieri. Is he a bad man because he's been to prison? Is he liable for everything the U.S. government says he did?"

Hurdelbrink's attorney, Roland Steinle, said the government had "designed a battle plan against my client."

In February 1991, a jury in Federal Judge Thomas J. Curran's

courtroom ordered Balistrieri and Hurdelbrink to pay \$15,000 in compensatory damages to the Metropolitan Milwaukee Fair Housing Council and five black testers who sought rental information at the Shorecrest.

The jury awarded \$2,000 to each of the testers and \$5,000 to the housing council. In April, \$2,500 in civil penalties was assessed against Balistrieri. Hurdelbrink was ordered to pay a civil fine of \$100.

Balistrieri and Hurdelbrink appealed.

In a November 1992 ruling, the 7th U.S. Circuit Court of Appeals upheld the ruling that the pair had engaged in discriminatory rental practices at the Shorecrest.

However, the Appeals Court vacated the award of civil penalties and said the district court had been in error when it decided that punitive damages would not be awarded to the five testers or the fair housing council because the court "could find no evidence of willfulness or wantonness indicating the defendants' desire to hurt or injure."

The Appeals Court ruling remanded the case for a new trial on the issue of damages.

FBI/DOJ

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Further penalties for Balistrieri rejected

*Judge rips prosecutors,
saying their case was not
supported by the facts*

By MIKE NICHOLS
of The Journal staff

Minutes after a jury ruled that Joseph Balistrieri does not have to pay additional damages for discriminating against renters at his apartment complex, a judge chastised lawyers from the US Justice Department for the way they handled the litigation.

Federal Judge Thomas Curran said Thursday that the government's case was not supported by the facts presented in court over

the last two weeks. And he added he is "deeply concerned about untold thousands of dollars spent pursuing this action."

A jury found that neither Balistrieri nor a former employee at The Shorecrest Hotel, Angelina Hurdelbrink, must pay punitive damages for discrimination. The jury also found that Balistrieri himself did not know about or participate in any discrimination that occurred.

The case — which has been tried once before — stems from tests at apartments staged by the Metropolitan Milwaukee Fair Housing Council in 1989.

In each test, a black person and a white person posed separately as prospective tenants seeking similar accommodations at the 1962 N.

Prospect Ave. building. Prosecutors claimed that the blacks looking for apartments were told none was available, were denied rental contracts solely on the basis of race and were given different leasing conditions.

During the first trial in February of 1991, a seven-person jury found that the hotel had discriminated and awarded \$5,000 to the housing council and \$2,000 to each of the five testers as compensation for emotional distress.

The government attorneys wanted the jury to also consider punitive damages and whether other potential renters who were not testers were due compensation, but Curran said those issues were not to be considered.

Prosecutors from the Housing and Civil Enforcement Section of the Department of Justice all have along declined to comment on the case. But they — as well as Balistrieri — filed appeals.

In November 1992, the Federal Appeals Court upheld the first verdict and the jury's \$15,000 award to the housing council and the testers. At the same time, however, the court ruled that the jury should have been able to consider whether it wanted to assess punitive, as well as compensatory, damages.

The jury also should have been allowed to consider whether the defendants had to pay two other individuals, Marva Patillo and Kim Williams, who were not testers but allegedly were also discrim-

inated against, the Appeals Court ruled.

On Thursday, the Federal Court jury found not only that Balistrieri and Hurdelbrink were not to be liable for punitive damages, they also were found not to have discriminated against either Patillo or Williams.

In addition, Curran — who had said after the first trial that Balistrieri and Hurdelbrink should pay \$2,100 in civil fines — reversed himself and said no fines were necessary.

Four or five people from Washington have been in Milwaukee on a daily basis for eight or nine days, he said, at a time when there is not enough money in the budget to pay jurors and public defenders.

(Indicate page, name of newspaper, city and state.) PG#3, SECT. B
MILWAUKEE JOURNAL
MILWAUKEE, WISCONSIN

Date: 6/11/93
Edition: LATEST

Title: Joseph P. Balistrieri

Character: DIH

or
Classification: 177B-MW-24274
Submitting Office: MILWAUKEE

Indexing:

177B-MW-24274-64

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 14 1993	
FBI - MILWAUKEE	

ACTION COMMUNICATION

Date: 08/10/93
BUDED: 08/30/93

TO: MILWAUKEE
SQUAD 4
ATTN: SA [REDACTED] (ROUTINE)

FROM: MILWAUKEE (C)
EVIDENCE CONTROL ROOM (ECR)

b6
b7C

POINT OF CONTACT: E.C.T [REDACTED]

TITLE: UNITED STATES vs. JOSEPH P.
BALISTRIERI AND [REDACTED]
[REDACTED]
CIVIL RIGHTS;
OO: MILWAUKEE

References: MW SCF TO FBIHQ DTD 6/9/93.

REQUEST(S): DISPOSITION OF EVIDENCE

DETAILS: On 6/9/93, the above captioned case was closed by the case agent.

However, evidence obtained during the course of the investigation remains in the possession of the ECR.

It is therefore requested that the case agent provide, in writing, disposition instructions on the following items;

Eight cassette tapes, enhanced versions labeled Q1-Q8.

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
AUG . . .	
FBI - MILWAUKEE	

[Signature]

UCFN: 177B-MW-24274 ~ 65

1 - File Copy
1 - Work Copy
FM: (2)

ACTION COMMUNICATION

Date: 09/01/93

TO: MILWAUKEE DIVISION
ATTN: ECT [REDACTED] (ROUTINE)

FROM: MILWAUKEE DIVISION (C)
SQUAD FOUR (OC/DI)

POINT OF CONTACT: SA [REDACTED]

TITLE: UNITED STATES vs JOSEPH P. BALISTRIERI
AND [REDACTED]
CIVIL RIGHTS;
OO: MILWAUKEE

b6
b7C

References: ECT [REDACTED] SCF, dated 8/10/93.

REQUEST(S): ECT [REDACTED] is requested to send the eight cassette tapes labeled Q1-Q8 to the Department of Justice, Civil Rights Division, Attention: Attorney [REDACTED] Post Office Box 65998, Washington D.C. 20035.

DETAILS: Attorney [REDACTED] advised on 9/1/93 that the tapes should be sent to her for disposition.

① - File Copy
FWT:bjh (2)

UCFN: 177B-MW-24274 - 66

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(Indicate page, name of newspaper, city and state.)

MILWAUKEE JOURNAL
MILWAUKEE, WISCONSIN

Date: 10/4/93

Edition: LATEST

Title: High court refuses to
hear fair-housing case

Character: DIH

or
Classification: 177B-MW-24274
Submitting Office: Milwaukee

Indexing:

High court refuses to hear fair-housing case

By FRANK A. AUKOFER
Journal Washington bureau

Washington, D.C. — The US Supreme Court refused Monday to hear an appeal of a Milwaukee hotel owner who challenged the practice of testing to gather evidence of housing discrimination.

The high court's refusal to hear the appeal of Joseph P. Balistrieri, owner of the Shorecrest Hotel, in effect upheld an appeals court decision affirming a jury finding that Balistrieri and his manager, Angeline A. Hurdelbrink, were guilty of racial discrimination.

The case dates back to 1989, when the Metropolitan Milwaukee Fair Housing Council sent five teams of black and white

testers at different times to the Shorecrest, 1962 N. Prospect Ave.

As a result of the different treatment received by the testers, Balistrieri and Hurdelbrink were charged with discrimination. A federal court jury found them both guilty in February 1991, and awarded damages of \$5,000 to the council and \$2,000 each to the five black testers as compensation for their emotional distress.

After Balistrieri appealed, the 7th Circuit Court of Appeals in Chicago upheld the verdict but sent the case back to the federal court in Milwaukee, saying the jury should have been able to assess punitive as well as com-

pensatory damages.

A new jury ruled last June that neither Balistrieri nor Hurdelbrink had to pay punitive damages. It said Balistrieri did not know about or participate in any discrimination.

Meanwhile, Balistrieri also appealed to the US Supreme Court. He asserted that because the testers had no interest in actually renting the apartments

they looked at, they could not allege the personal injury needed to sustain a discrimination claim.

In refusing to hear the case, the Supreme Court rejected Balistrieri's argument. The 7th Circuit Court had found that in each of the tests at the Shorecrest, the black tester was treated less favorably than the white applicant.

177B-mw-24274-68

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OCT 5 1993	
FBI - MILWAUKEE	

[Signature]



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 177B-MW-24274

330 E. Kilbourn Ave. Suite 600
Milwaukee, Wisconsin 53202-6627
September 16, 1993

Attorney [redacted]
U.S. Department of Justice
Civil Rights Division
Post Office Box 65998
Washington D.C. 20035

Dear [redacted]

As requested by Special Agent [redacted]
Federal Bureau of Investigation, Milwaukee Division, the enclosed
audio cassettes (8) are being released to you.

The tapes were obtained during the course of an
investigation titled "United States vs. Joseph P. Balistrieri and
[redacted]"

Since the Federal Judge, who presided over the case,
dismissed the case due to lack of supporting evidence, the case
agent does not feel the need to maintain these tapes and has
decided to release them for your review and disposition.

b6
b7c

If you have need of further assistance, please contact
Agent [redacted]

Sincerely yours,

TOBY M. HARDING
Special Agent in Charge

By:

[redacted]
Supervisory Special Agent

1 - addressee
1 - 177B-MW-24274-1B003
FM

*Sent via Reg. Mail
R602163115 on 9/24/93 -fm*

*177B-MW-24274-69
[signature]*

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(Indicate page, name of newspaper, city and state.) PAGE - A9
THE MILWAUKEE JOURNAL
MILWAUKEE, WISCONSIN

Date: OCTOBER 3, 1993
Edition: LATEST

Title: JOSEPH P. BALISTRIERI

Character: DIH

or
Classification: 177B-MW-24274
Submitting Office: MILWAUKEE

Indexing:

Judges may hear case on fair housing

By FRANK A. AUKOER
Journal Washington bureau

Washington, D.C. — In a Milwaukee case, the United States Supreme Court has been asked to decide whether housing discrimination testers must actually want to buy or rent the housing involved.

A decision on whether to hear the case could come as early as Monday, when the high court meets to open its 1993-'94 term. In that session, the court customarily issues a lengthy orders list in which it accepts some cases and rejects many more among the thousands of pending appeals.

The Milwaukee case is a challenge to the practice of testing, in which open housing advocates use black and white volunteers who pose as individuals seeking to rent or buy housing.

The case started in 1989 after the Metropolitan Milwaukee Fair Housing Council sent five teams of black and white testers at different times to the Shorecrest Hotel, 1962 N. Prospect Ave.

Because of the different treatment the testers received, the hotel owner, Joseph P. Balistrieri, and his manager, Angeline A. Hurdelbrink, were charged with racial discrimination.



BALISTRIERI

A federal court jury found both of them guilty in February 1991, and awarded damages of \$5,000 to the council and \$2,000 each to the five black testers as compensation for

their emotional distress.

Balistrieri appealed, and the 7th Circuit Court of Appeals in Chicago upheld the verdict.

In its decision, the 7th Circuit found that in each of the tests at the Shorecrest, the black applicant was shown fewer apartments, quoted higher rents or quoted later dates of availability.

Meanwhile, Balistrieri pursued an appeal to the US Supreme Court. In it, he asserted that because the testers had no interest in actually renting the apartments they looked at, they cannot allege the sort of distinct, palpable, personal injury required to sustain a claim of discrimination.

Balistrieri also said that the testers' alleged emotional distress happened months later and only in response to the Fair Housing Council telling them that they had been victims of discrimination.

"Their choice to repeatedly seek out potential discrimination treatment makes any claim of emotional trauma plainly foolish and... unsupportable," Balistrieri said in written arguments to the high court.

He asked the Supreme Court to "articulate a consistent federal common law standard for ascertainment of damages" in housing discrimination cases.

The US Justice Department, in opposing Balistrieri's appeal, said it did not matter whether the individual who experienced discrimination actually wanted the housing.

"When a housing agent offers [as Hurdelbrink did] to rent an apartment on less favorable terms to a black person than to a white person, and that differential offer is made because of race, the black person has been discriminated against," the department said in written arguments.

"That the black person may not actually avail himself of the housing opportunity does not change that fact."

If the Supreme Court decides to hear the case, it will schedule oral arguments during this term, which runs from Monday through next June. If it rejects the case it will, in effect, uphold the decision of the 7th Circuit Court of Appeals.

177B-MW-24274-70

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SERIALIZED	FILED
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FEDERAL BUREAU OF INVESTIGATION
FOIPA
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No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 36

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